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PERFORMANCE MEASURES

KEY RESULTS AND MEASURES

ANNUAL REPORT

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September, 2019



MINNESOTA  
JUDICIAL  
BRANCH

Prepared by State Court Administrator's Office  
Court Services Division, Research & Evaluation

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## EXECUTIVE SUMMARY

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*It is the policy of the Minnesota Judicial Branch to establish core performance goals and to monitor key results that measure progress toward meeting these goals in order to ensure accountability of the branch, improve overall operations of the court, and enhance the public's trust and confidence in the judiciary.*

*The six core judicial branch goals are:*

***Access to Justice***

***Timeliness***

***Integrity and Accountability***

***Excellence***

***Fairness and Equity***

***Quality Court Workplace Environment***

This is the 11<sup>th</sup> annual report that contains results for the Core Judicial Branch Goals - Key Results and Measures. This report contains current data along with trends, as available.

The contents of this report are organized into four sections –

1. Executive Summary;
2. Using Performance Measures for Administration;
3. Review of Key Results and Measures; and
4. Data Details (Appendix).

The executive summary first discusses results that are positive, followed by possible areas of concern. A brief summary of how performance measures are being used by court administration follows the executive summary. The results in this report present a barometer of the work of the Branch – an overall picture of how the courts are doing at this point in time and over the last several years.

Definitions of terms and more details of the data are included in the appendix, which begins on page 50.

## POSITIVE PERFORMANCE MEASURE RESULTS BY GOAL

### Access to Justice

The measure for this goal is the Access and Fairness Survey.

- Over 6,000 Access & Fairness Surveys were collected across all courthouses between December, 2018 and March, 2019. Efforts are underway to address the feedback received in all surveys.
- Four of the ten statements in the Access portion of the recently conducted Access & Fairness Survey have agreement levels of nine in ten respondents who agree or strongly agree to the statements.
- Over 2,000 court users were also surveyed if they used the public website, paid a citation online, or used the phone to access the Court Payment Center (CPC).

Access & Fairness Survey – Access Statements	% Strongly Agree/ Agree	N
Finding the courthouse was easy.	91%	5,859
I was treated with courtesy and respect.	89%	5,855
I felt safe in the courthouse.	89%	5,861
It was easy to find the courtroom or office I needed.	88%	5,823

### Timeliness

This goal area has several measures to determine if courts are handling cases in a timely manner – Clearance Rates, Time to Disposition, Age of Pending Cases, Length of Time to Permanency, Time to Adoption, and Court of Appeals and Supreme Court cases within Time Standards.

- Clearance Rates remained consistent, or improved, in fiscal year 2019 (FY19) compared to FY18 in five case categories – Major Criminal, Probate/Mental Health, Family, Juvenile (Delinquency and CHIPS/Permanency), and Minor Civil. The overall Clearance Rate statewide for FY19 is 99%. (100% means as many cases were disposed in a year as were newly filed.)
- Nearly all Court of Appeals cases met the overall timing objective of disposing of 75% of cases within 290 days of filing and all cases met the goal of disposing 90% of cases within 365 days of filing. Across all case categories, 69% of cases disposed in FY19 met the 290 day objective and 93% of cases disposed in that year met the 365 day objective.

WCL Case Category	99 <sup>th</sup> Percentile Objective (Months)	FY19 % Cases Disposed at 99 <sup>th</sup> Percentile
Dissolutions	24	99.4%
Domestic Abuse	4	99.2%

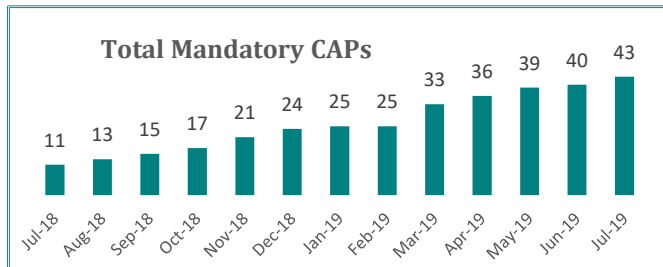
- Statewide Time to Disposition results in FY19 exceed the timing objectives for Dissolutions (with and without child) and Domestic Abuse cases.

- ◆ Two districts achieved having over 90% of children reach permanency by 18 months (goal = 99%). Three districts had 60% or more of children reach adoption in FY19 within 24 months of removal from the home (goal = 60%). (See pages 29-30 for details.)

## Integrity and Accountability

The goal in this area is to ensure that the electronic record system is accurate, complete and timely.

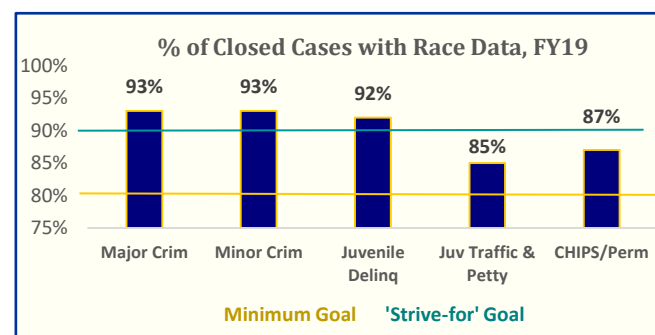
- ◆ The Judicial Branch has created a unit within State Court Administration – CAPs Unit (Statewide Court Administration Processes) - that is responsible for statewide document security, CAP creation, and CAP compliance. This statewide monitoring, consistent practices, and mandatory compliance ensure that customers have a consistent experience across the courts and that the information and data received is accurate and complete. The unit publishes a quarterly bulletin providing data about performance and tips to improve.



## Fairness and Equity

Measures for this goal area include juror representativeness, statements from the Access and Fairness survey, and a newly added area for race data collection rates.

- ◆ Almost all of the over 47,700 jurors who reported for service in FY19, returned the questionnaire, and completed race information are similar racially, ethnically and by gender compared to the population of the communities in Minnesota.
- ◆ Race data collection rates are 85% or greater for cases closed during FY2019. Major and Minor Criminal cases have the highest collection rates of 93% each.



## Quality Court Workplace Environment

The measures for this goal area are Separation Rates and results of the Quality Court Workplace survey.

- ◆ Objectives and strategies have been developed for both employees and judges based on the results of the 2016 Quality Court Workplace survey. Implementation of these strategies is ongoing.



### For employees:

- *Techniques for Communicating during Change*
  - Branching Out, the Branch newsletter, is published monthly
  - District level Change Agent Network Teams have been created to convey information and feedback about change initiatives in support of OneCourtMN
- *Increasing Knowledge About and Pacing of Major Initiatives*
  - An end-to-end process was designed to seek more information from court administration for the creation of CAPs (Court Administrative Process)

### For judges:

- *Judicial Council Leadership*
  - Creation of Judicial Council 101 video describing the function, purpose and operations of the Judicial Council
  - New Judge Orientation integrates content about the Judicial Council including an invitation to observe a Council meeting.
    - ◆ Approximately half of the Judicial Council meetings in the last year had one or more judges observing the meeting.
- *Keep up with Workload*
  - Expand Best Practices for Chief Judges to contact a judge if listed on the 75-day under advisement report to explore opportunities for assistance
  - Creation of a resource list for Chief Judges to use to provide judicial support
- *Feel Safe at Workplace*
  - Implement approved security upgrades
  - Promote participation in “Active Shooter” training





## POSSIBLE AREAS OF CONCERN

The measures in this section show possible areas of concern, but do not necessarily reflect poor performance.

### Access to Justice

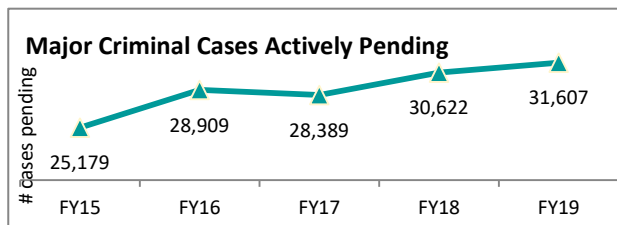
- ◆ Responses to the 2019 courthouse survey suggest that wait times are a significant issue. Agreement levels were lowest all three times the Access & Fairness Survey was conducted for: “I was able to get my court business done in a reasonable amount of time”. In the most recent survey, the number one suggestion for improving court experience is “Less of a wait at the courthouse.” (47% selected this option)

### Timeliness

- ◆ There is a ‘backlog’ of CHIPS/Permanency cases/children building shown by an increase of 40% in the number of children with a case pending comparing FY15 to FY19. Although filings are declining, and the clearance rate of these cases in FY19 was 109% (over 100% means more cases disposed than filed), previous years had clearance rates below 90% and filings increased to nearly 11,000 in FY18 before declining to 9,800 in FY19.

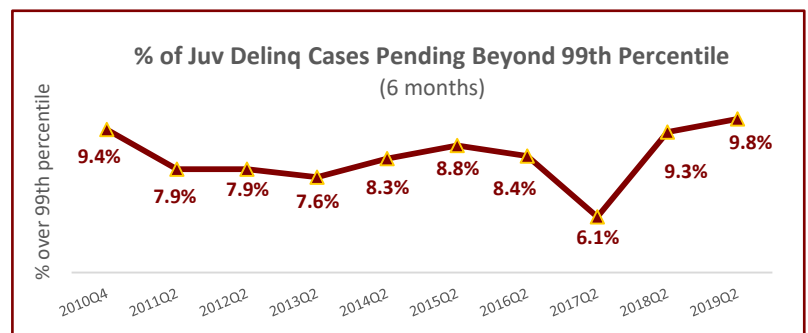
- ◆ The goal of having 99% of children reach permanency by 18 months was not met in FY19. At 80%, this result is the lowest it has been over the past five fiscal years.

% of children reaching permanency by 18 months (goal is 99%)	
FY19	80%
FY18	82%
FY17	86%
FY16	87%
FY15	90%



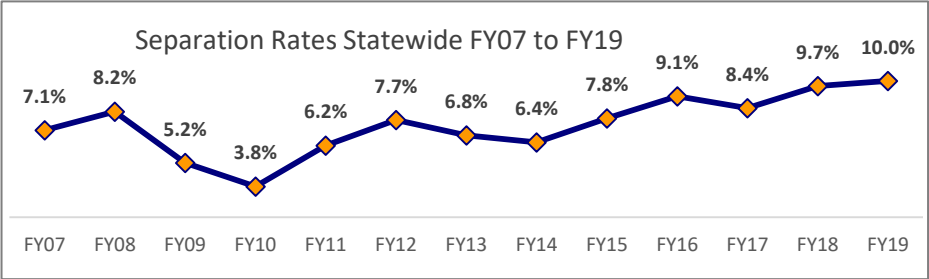
- ◆ The number of Major Criminal cases actively pending (excludes dormant and on warrant) has increased 26% over the past five years from about 25,200 cases at the end of FY15 to over 31,600 at the end of FY19.

- ◆ After steady reductions (lower is better), the percent of Juvenile Delinquency cases pending beyond the 99<sup>th</sup> percentile objective of 6 months is at 9.8% as of 7/4/2019. This is the highest percent of Juvenile Delinquency cases pending beyond the timing objective since the end of 2010 when this information was first retained.



Quality Court Workplace Environment

- ◆ Although the separation rate of 10.0% in FY19 may not be a concern by itself, the increasing rates of separation point to the need for more recruitment, hiring and training of new employees.



## USING PERFORMANCE MEASURES FOR ADMINISTRATION

- ◆ Reviews of performance measure results are presented twice per year to the Judicial Council. The most recent written reports were submitted in March, 2019 and oral reports are to be given in September, 2019.
- ◆ Reviewing results of performance measures has become routine at bench meetings and within court administration.

### DISTRICT COURTS REVIEW RESULTS

The reviews of performance measure results by districts at the March, 2019 Judicial Council meeting were directed to overall results for calendar year 2018 and any results on Juvenile Delinquency cases that needed to be addressed.

Specific examples of these reviews include:

- 1<sup>st</sup> District - The local judges and justice partners in counties met to delve into the processing time of major criminal cases and look at opportunities for improvement. Similarly, the bench and court administration are also focusing on pending cases and trying to be more proactive in dealing with the caseflow issues that have become apparent.
- In the 2<sup>nd</sup> District, adoptions reached by the 24-month mark decreased significantly. To address this issue, the district created a new assignment whereby two judges hear all Post-Permanency reviews. Reducing the number of different judges hearing these calendars will allow the district to provide more concentrated attention to the progress of children awaiting adoption. In Juvenile Delinquency cases, the district hopes the work to implement eNotification will improve the appearance rates. Also, since implementing JDAI, delinquency cases continue to decline and those that are charged are the most troubled youth.
- The 3<sup>rd</sup> District noted that the time to adoption rate dropped by 12%. “We believe that much of the delay in time to adoption is the Northstar funding delays and Department of Human Service approvals, which is out of the control of the courts.”

*The 2<sup>nd</sup> District is aware of more complex Juvenile Delinquency cases which “...often require Rule 20 examinations, special placement, or treatment options. These requirements are often difficult to arrange and may result in delays.”*

*Juvenile criminal sex cases “do not go to disposition quickly in order to give children a chance, where appropriate, to avoid the requirement at adjudication to register as a Predatory Offender, with its significant collateral consequences.”*

*4<sup>th</sup> District*

- The 4<sup>th</sup> District improved performance in the Probate/Mental Health Division by a change in assignment of both Probate and Mental Health cases to all Probate/Mental Health judicial officers, proactively adjusting calendar assignments to minimize time from filing to hearing and adding staff resources assigned to support judicial officers. In Juvenile Court, the 4<sup>th</sup> District realigned calendars and dedicated two judges to hear ICWA cases. Juvenile court continued to engage the community in efforts to find permanency solutions for kids.

- The 5<sup>th</sup> District bench decided to make a previously established Continuance “Best Practice” a mandatory policy after conducting an analysis that showed the delay in processing of over half of the cases had multiple continuances. They also conducted training on CHIPS Placement and Dispositions which contained a segment on the use of data quality reports to review county-specific data.
- In the 6<sup>th</sup> District, St. Louis County Social Services has struggled with staff issues for years, and in the past three years, staff has increased 57%. This reflects that one-third are brand new to the agency. County Social Services has added a staff psychologist to add providers to perform CHIPS specialized evaluations and increase providers of supervised visitation services.
- The 7<sup>th</sup> District had approximately 25% of the total complement of judges retire during 2018. Specific to Juvenile Delinquency cases, the vast majority of the county level low statistics are those that experienced judicial retirements in 2018, so these areas were to receive extra attention during 2019.
- The 8<sup>th</sup> District began a specialized judge assignment in January 2018 to handle juvenile protection matters in five counties. Through March, 2019, the number of children on a pending case has declined, the number of children on cases pending below 180 days has increased while those on pending cases from 181-365 days declined, and 90% of the children are on cases with no continuances.

*“Despite efforts over the years to improve and maintain consistent outcomes, the Sixth is frustrated with many internal and external factors that have an impact on performance results. ...the Sixth is adjusting staff resources to create a position that provides case processing technical assistance to judges and managers.”*

*“Many court administrators and judges monitor the Age of Pending caseload reports closely, and push out of compliance cases quicker to disposition. Some counties enter the age of the case directly into MNCIS so judges are aware of how old each case is, and are able to use this information when making scheduling decisions.”*

*9<sup>th</sup> District*

- The 9<sup>th</sup> District reported doing a good job in reducing backlogs in all case areas except minor criminal. Judge and staff worked hard to dispose of more cases than received in the past year. Results show the district is better than the state average in all but two case categories.

- The 10<sup>th</sup> District noted that there was potential for improvement in the time to disposition results for Major Criminal cases. Anoka and Chisago Counties planned to improve the results by taking measures to better utilize calendar structure and justice partner coordination to improve these statistics. Due to the success of these efforts, other 10<sup>th</sup> District counties are exploring possible adjustments in their calendar structure and justice partner coordination.

## ACCESS TO JUSTICE

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The Minnesota Judicial Branch will be open, affordable and understandable to ensure access to justice.

*Do participants perceive the courts to be accessible?*

### ACCESS AND FAIRNESS SURVEY

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- ◆ The most recent Access and Fairness Survey was conducted in all courthouses in the state between December, 2018 and March, 2019, along with surveys of website users and Court Payment Center (CPC) customers. Two previous surveys were completed in 2008 and 2013.
- ◆ The level of participation was higher in 2019 than in 2013 and the statewide results are very consistent across all three rounds of the survey.

The Access and Fairness Survey is adapted from the National Center for State Courts (NCSC) CourTools Access and Fairness Survey. The survey contains fifteen questions, divided into two sections: (1) Access, with a new addition of how service could be improved, and (2) Fairness. There were also demographic questions that respondents were asked to complete, so their responses could be categorized. The survey for customers of the Minnesota Court Payment Center (CPC) was revised from the previous implementation for anyone accessing it via phone or the web. The survey for web visitors was available to anyone visiting the public website for any reason. The surveys were available in multiple languages; all versions can be found by Judicial Branch members on CourtNet. (Link is in the list on the right side of the home page.)

Complete results of the survey are also available on CourtNet for judges and staff to review dashboards of results, written survey analysis presented to the Judicial Council, and an overview of results presented to the Judicial Council.

- Across each type/location of survey, the 2019 Access and Fairness survey generated 8,200 responses between December, 2018 and March, 2019.
  - 6,052 surveys were completed in courthouses statewide. This compares to 4,614 surveys in 2013 and 7,769 in 2008.
  - 841 surveys of CPC customers were completed over the phone.
  - 824 surveys of CPC customers were completed after paying a fine online.
  - 483 surveys of web visitors were completed on the MNCourts.gov website.
- Statewide results from courthouse surveys access statements show little change over 2013 and 2008 results, and generally fall within the National Center for State Court's "Doing Good" category.
- Responses to the courthouse survey suggest that wait times are a significant issue.
  - Since 2008, the access statement "I was able to get my court business done in a reasonable amount of time" consistently receives among the lowest levels of agreement (agree or strongly agree).
- Responses throughout the different survey arms suggest a desire for more online services.
  - Since 2008, the courthouse access statement "I found the court's web site useful" has consistently received the lowest levels of agreement.

- Statewide results for all statements in the Access section are in Figure 1.1, sorted in the order of higher levels of agreement to lower levels.

Figure 1.1: Access Section Responses Statewide 2019

Q #	Access Section	% Strongly Disagree	% Disagree	% Neutral	% Agree	% Strongly Agree	% Strongly Agree/ Agree	Mean <sup>1</sup>	N
1	Finding the courthouse was easy.	3%	1%	5%	32%	58%	91%	4.4	5,859
7	I was treated with courtesy and respect.	4%	2%	6%	32%	57%	89%	4.4	5,855
3	I felt safe in the courthouse.	3%	2%	6%	31%	57%	89%	4.4	5,861
8	It was easy to find the courtroom or office I needed.	3%	3%	7%	35%	52%	88%	4.3	5,823
6	Court staff paid attention to my needs.	4%	3%	10%	34%	49%	83%	4.2	5,684
2	The forms I needed were clear and understandable.	3%	3%	13%	40%	41%	81%	4.1	5,046
9	The court's hours of operation made it easy for me to do my business.	4%	3%	12%	36%	44%	80%	4.1	5,695
4	The court tries to get rid of barriers to service, such as physical and language barriers.	4%	3%	17%	37%	40%	77%	4.1	5,220
5	I was able to get my court business done in a reasonable amount of time.	6%	8%	14%	34%	38%	72%	3.9	5,579
10	The court's website was helpful.	5%	6%	21%	42%	26%	69%	3.8	2,085
Access Index Score		83							

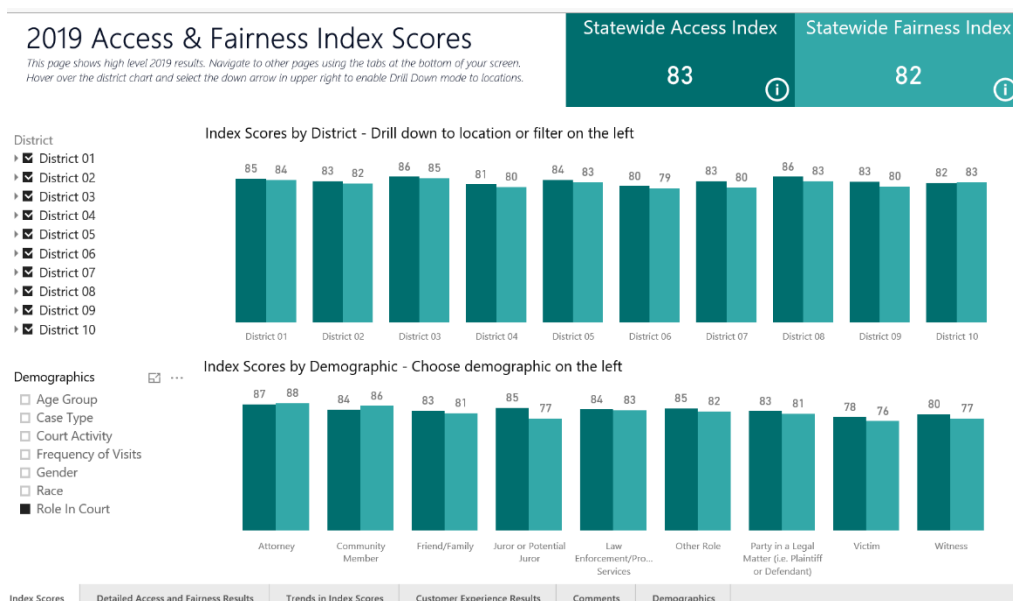
- The Access Index<sup>2</sup> score provides a composite measure of responses to all ten statements in the Access section of the survey. The statewide Access Index score is 83 (out of 100), compared to 84 in 2013 and 83 in 2008.
- Some of the demographic categories with the most variation in scores:
  - Race/Ethnicity* – Index scores range from 85 for those who identified themselves as White to 78 among those who selected “Other” (with a write-in option). American Indian or Alaska Native respondents have a score of 79, Black or African American respondents a score of 82.

“Very nice people that work here. Friendly, helpful and understanding.”

<sup>1</sup> The National Center for State Courts (NCSC) framework for mean scores is: **4.1 or higher = Doing a good job**; **3.5 to 4.0 = Doing OK**; **3.4 or lower = Needs improvement**.

<sup>2</sup> Index scores are an overall score for a grouping of statements; also referred to as index categories or sections. They can be calculated at the county, district or other levels. If there are 5 statements in a section with responses on a 1-5 point scale, the index is calculated by summing the means (average) for each question in the section which brings the total maximum score to 25 (5 questions x 5 points maximum each). This score is then multiplied by 4 to place it on a 100-point scale. For a grouping of 10 statements, the total maximum score is 50, so the multiplier is 2.

Figure 1.2: Example of Courthouse Survey Dashboard of Results



○ **Age** - Older court visitors have a slightly higher Access Index score than younger visitors.

○ Respondents age 18 or under have a score of 83 while those age 65 or over have an index score of 86.

○ **Role** - Attorneys representing a client had the highest index score by role (87) and victims had the lowest score (79).

○ **Case Type** - Respondents in court for Probate cases

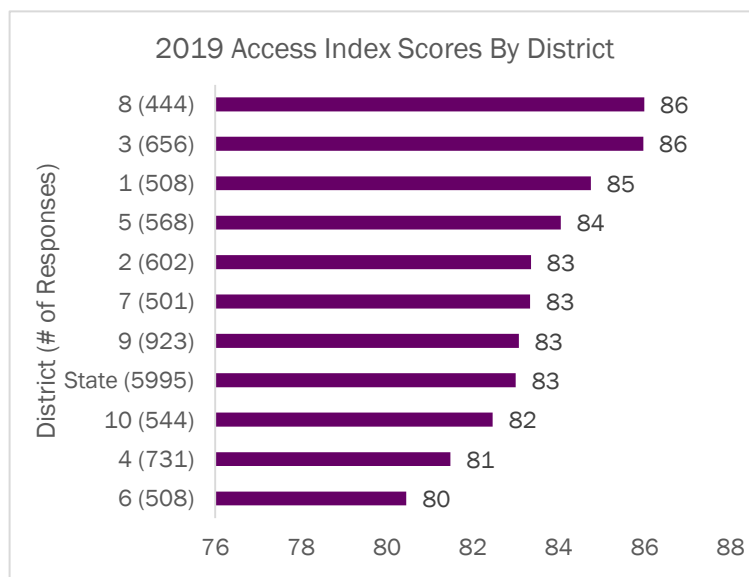
had the highest Access Index score (87); those in court for Child Protection or Conciliation cases had the lowest score (82).

Figure 1.3: 2019 Access Index Scores by District

Access Index scores by district range from 86 in the 8<sup>th</sup> and 3<sup>rd</sup> Districts to 80 in the 6<sup>th</sup> District, shown on the right in Figure 1.3.

Index scores across all court locations, as well as trends by district and location, are available through interactive dashboards on CourtNet.

Agreement with the Access Section statements is highly consistent across survey years. Figure 1.4 (next page) compares the percent of respondents who agree or strongly agree and the mean score for each statement and for each survey year.



### Customer Experience Results

Courthouse survey respondents were asked “What three changes would most improve your experience with the courts?” Nearly half of all respondents statewide (47%) selected improvement for “Less of a wait at the courthouse” with the next most-selected change being longer hours of courthouse operation (28%).

“Have court on nights/weekends/holidays.”

“The wait is way too long every time I go to court.”

Figure 1.4: Statewide Access Section Trends, 2008 to 2019

Q#	Access Section Statements	2008		2013		2019	
		% Strongly Agree/ Agree	Mean	% Strongly Agree/ Agree	Mean	% Strongly Agree/ Agree	Mean
1	Finding the courthouse was easy.	90%	4.4	90%	4.4	91%	4.4
2	The forms I needed were clear and understandable.	82%	4.1	80%	4.1	81%	4.1
3	I felt safe in the courthouse.	89%	4.3	87%	4.3	89%	4.4
4	The court makes reasonable efforts to remove barriers to service, such as physical and language barriers.	84%	4.2	84%	4.2	77%	4.1
5	I was able to get my court business done in a reasonable amount of time.	72%	3.8	73%	3.9	72%	3.9
6	Court staff paid attention to my needs.	84%	4.2	83%	4.2	83%	4.2
7	I was treated with courtesy and respect.	89%	4.3	88%	4.3	89%	4.4
8	I easily found the courtroom or office I needed.	90%	4.3	90%	4.3	88%	4.3
9	The court's hours of operation made it easy for me to do my business.	78%	4.0	82%	4.2	80%	4.1
10	The court's website was helpful.	58%	3.7	71%	3.9	69%	3.8
Access Index Score		83		84		83	

The most significant downward trend is in agreement with the statement “The court makes reasonable efforts to remove barriers to service, such as physical and language barriers”, which declined from 84% in 2008 and 2013 to 77% in 2019. However, the mean scores are mostly consistent across years.

The lower agreement levels about barriers to service compared to previous years may be related to lower levels of agreement that the court’s website was helpful as respondents equate a website they don’t believe is helpful as a barrier to service from the courts.

### ***MNCourts.gov Survey***

The Web survey generated 483 responses over the course of about two weeks. The most common reasons respondents reported visiting MNCourts.gov were obtaining information (44%) and searching for court records (38%). The majority (85%) of Web survey respondents report being comfortable navigating the internet, as may be expected in a survey of on-line users.



Figure 1.5: Web Survey Access Section Responses 2019

Q#	Web Survey Access Statements	% No	% Yes	N
1	The Minnesota Judicial Branch website made reasonable efforts to remove physical and language barriers to service.	9%	91%	471
4	I know what steps I need to take to conduct my court business.	17%	83%	462
3	The court information I found was clear and easy to understand.	23%	77%	466
2	I easily found the court information I needed.	33%	67%	475

Figure 1.5 shows overall results to the Access statements included on the Web Survey, ranked according to the percent of respondents answering “Yes”:

Respondents who reported that this was their first visit to

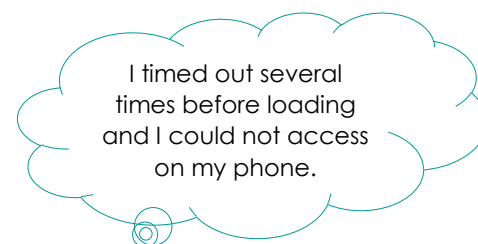
MNCourts.gov (representing a quarter of all respondents) had lower than average agreement to each Access statement, especially those related to finding information:

- 58% of first time users agreed that they easily found the court information they needed, and 68% agreed that the court information they found was clear and easy to understand.

### CPC Online Survey

824 court customers who paid a fine online completed this survey.

Figure 1.6: Court Payment Center Online Access Section Responses 2019



Access Section Statements	% Strongly Disagree	% Disagree	% Neutral	% Agree	% Strongly Agree	% Strongly Agree/Agree	Mean	N
The hours that the Minnesota Court web payment site was available made it easy for me to do my business.	7%	3%	10%	35%	45%	80%	4.1	769
I was able to get my court business done in a reasonable amount of time.	8%	5%	9%	37%	41%	79%	4.0	765
The information provided by the Minnesota Court web payment site was clear and easy to understand.	7%	5%	12%	39%	36%	75%	3.9	805
I easily found the information I needed.	8%	7%	11%	36%	37%	74%	3.9	812
The Minnesota Court web payment site made reasonable efforts to remove physical and language barriers to service.	7%	2%	20%	36%	34%	70%	3.9	688
<b>Access Index Score</b>	<b>79</b>							

In the past surveys, barriers to service were likely more related to physical accessibility of courthouses, ability to hear, or language barriers. Based on survey comments, respondents report that a website that doesn't operate as they feel it should is a barrier to service.

*The first couple of attempts the website kept telling me my citation number didn't exist, then the website was down.*

Respondents age 25-34 and 35-44 are the least likely to agree or strongly agree that “The Minnesota Court web payment site made reasonable efforts to remove physical and language barriers to service.” (68% agree or strongly agree)

### CPC Phone Survey

The CPC Phone survey was offered to court customers who called to get information about their citation or to pay a fine over the phone, and was administered through the Sonant automated phone system. 824 court users completed this survey. No demographic questions were asked of survey respondents over the phone, so no breakout of the data is possible.

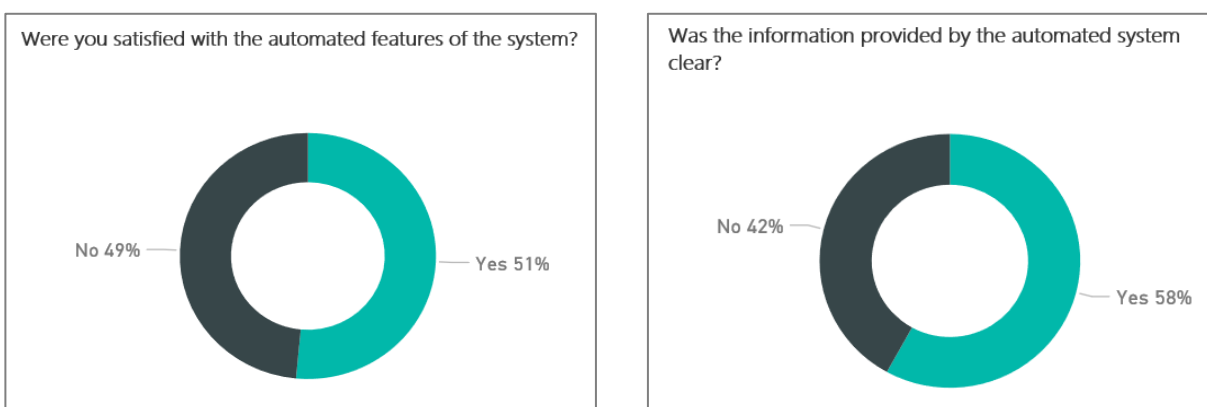
The mean scores of the two Access questions are at the lower end of “Doing OK” based on the National Center for State Courts.

**Figure 1.7: Court Payment Center Phone Access Section Responses 2019**

CPC Phone Access Statements	% Strongly Disagree	% Mostly Disagree	% Neutral	% Mostly Agree	% Strongly Agree	% Strongly/ Mostly Agree	Mean	N
I was able to get my court business done in a reasonable amount of time.	14%	18%	9%	16%	42%	59%	<u>3.5</u>	340
The hours the automated phone system is available made it easy for me to do business.	15%	11%	14%	15%	45%	60%	<u>3.6</u>	305

In addition to the access questions that are consistent with the courthouse survey questions, two additional items were rated by callers. Just over half of the respondents were satisfied with the automated features of the phone system and six in ten thought the information provided by the automated system was clear.

**Figure 1.8: Court Payment Center Phone Survey Responses 2019**



These graphs are available in the online CPC dashboard within the Access & Fairness reporting section of CourtNet.

## TIMELINESS

The Minnesota Judicial Branch will resolve cases and controversies in a timely and expeditious way without unnecessary delays.

### *Are trial courts handling cases in a timely manner?*

#### FILING TRENDS

In order to put the timing measures into context, the following chart shows filing trends over the past five fiscal years. The only increases, by category, from FY15 to FY19, are Major Criminal (+18%) and Minor Civil (+14%). Juvenile cases (Delinquency and Dependency/Neglect) have the largest decrease with 16% fewer filings in FY19 than in FY15, followed by a 14% decline in filings of Major Civil and Minor Criminal cases.

Filing counts represent the number of children on CHIPS/Permanency cases, the number of charges on Minor Criminal cases and the number of cases for all other case categories.

WCL Category	% Change FY15 to FY19	FY19	FY18	FY17	FY16	FY15
Serious Felony	3.9%	1,357	1,319	1,368	1,301	1,306
Felony DWI	-.3%	642	661	611	624	644
Other Felony	14.8%	34,448	34,992	32,710	33,655	29,996
Gross Misdemeanor DWI	18.6%	14,079	14,200	13,822	14,327	11,870
Other Gross Misdemeanor	26.0%	17,366	17,979	16,901	14,402	13,783
<b>Major Criminal Total:</b>	<b>17.9%</b>	<b>67,892</b>	<b>69,151</b>	<b>65,412</b>	<b>64,309</b>	<b>57,599</b>
Personal Injury	-13.0%	2,310	2,395	2,489	2,670	2,654
Contract	-19.4%	7,113	6,790	6,762	8,301	8,823
Wrongful Death	7.9%	137	137	118	154	127
Malpractice	-21.2%	67	76	113	80	85
Property Damage	-9.2%	226	234	237	229	249
Condemnation	-11.5%	115	153	136	107	130
Conciliation Appeal	-18.3%	519	576	553	625	635
Harassment	17.3%	11,727	11,955	11,187	10,560	10,000
Employment	8.6%	390	346	331	351	359
Other Civil	-35.2%	8,016	8,317	9,067	12,109	12,373
<b>Major Civil Total:</b>	<b>-13.6%</b>	<b>30,620</b>	<b>30,979</b>	<b>30,993</b>	<b>35,186</b>	<b>35,435</b>
Trust	-45.0%	363	388	368	423	660
Supervised Administration	-20.2%	245	272	274	324	307
Unsupervised Administration	5.0%	3,215	3,151	3,098	3,156	3,063
Special Administration	-.4%	243	255	266	279	244
Informal Probate	-3.5%	3,466	3,264	3,303	3,533	3,593
Estate/Other Probate	-2.6%	1,047	1,082	1,109	1,047	1,075
Guardianship/Conservatorship	5.8%	2,993	2,751	2,701	2,730	2,830
Commitment	1.3%	4,453	4,373	4,243	4,328	4,398
<b>Major Probate Total:</b>	<b>-0.9%</b>	<b>16,025</b>	<b>15,536</b>	<b>15,362</b>	<b>15,820</b>	<b>16,170</b>

*Filing Trends, Cont.*

WCL Category	% Change FY15 to FY19	FY19	FY18	FY17	FY16	FY15
Dissolution with Child	-9.1%	7,143	7,428	7,461	7,851	7,856
Dissolution without Child	-2.7%	7,512	7,639	7,676	7,863	7,721
Support	-15.6%	10,067	11,005	11,017	11,783	11,928
Adoption	28.2%	1,788	1,721	1,492	1,446	1,395
Other Family	3.0%	3,249	3,057	3,199	3,363	3,154
Domestic Abuse	-4.3%	10,586	10,819	10,964	11,118	11,057
<b>Major Family Total:</b>	<b>-6.4%</b>	<b>40,345</b>	<b>41,669</b>	<b>41,809</b>	<b>43,424</b>	<b>43,111</b>
Delinquency Felony	-1.8%	3,528	3,692	3,714	3,757	3,594
Delinquency Gross Misdemeanor	12.4%	1,447	1,452	1,413	1,344	1,287
Delinquency Misdemeanor	-22.8%	9,363	10,922	11,115	12,452	12,134
Status Offense	-53.4%	3,369	3,500	3,475	4,632	7,234
Dependency/Neglect	3.0%	6,037	6,863	7,102	6,711	5,863
Permanency - TPR	40.4%	2,633	2,884	2,537	2,331	1,875
Permanency - Non TPR	53.5%	1,105	1,254	1,092	1,077	720
Truancy	-15.9%	1,800	1,773	2,280	2,251	2,141
Runaway	-48.5%	119	193	169	213	231
<b>Major Juvenile Total:</b>	<b>-16.2%</b>	<b>29,401</b>	<b>32,533</b>	<b>32,897</b>	<b>34,768</b>	<b>35,079</b>
Unlawful Detainer	-5.5%	17,594	17,439	17,953	18,011	18,610
Implied Consent	-18.0%	3,971	3,922	4,234	5,182	4,841
Transcript Judgment	23.3%	27,041	23,446	19,487	19,257	21,930
Default Judgment	37.4%	25,965	24,768	19,977	19,592	18,895
Conciliation	11.6%	52,640	55,072	50,693	43,380	47,178
<b>Minor Civil Total:</b>	<b>14.1%</b>	<b>127,211</b>	<b>124,647</b>	<b>112,344</b>	<b>105,422</b>	<b>111,454</b>
5th Degree Assault	-5.1%	12,128	12,784	12,573	12,895	12,774
Other Non-Traffic	-16.9%	102,644	110,633	113,254	120,865	123,483
Misdemeanor DWI	-16.6%	19,735	19,463	18,997	19,543	23,660
Other Traffic	-21.2%	516,894	579,148	614,240	657,788	655,570
Juvenile Traffic	-25.5%	5,713	6,410	6,306	7,342	7,663
Parking	2.4%	335,961	359,026	363,823	356,294	328,080
<b>Minor Criminal Total:</b>	<b>-13.7%</b>	<b>993,075</b>	<b>1,087,464</b>	<b>1,129,193</b>	<b>1,174,727</b>	<b>1,151,230</b>
<b>Grand Total:</b>	<b>-10.0%</b>	<b>1,304,569</b>	<b>1,401,979</b>	<b>1,428,010</b>	<b>1,473,656</b>	<b>1,450,078</b>

## CLEARANCE RATES

- ◆ The statewide Clearance Rate for all case types combined is 99% (Goal = 100% or above) in FY19.
- ◆ Juvenile (Delinquency and CHIPS/Permanency) cases have the highest Clearance Rate in FY19 at 103%, while Major Criminal cases have the lowest rate at 97%.
- ◆ Lower Clearance Rates in Major Criminal and CHIPS/Permanency case groups over the past five fiscal years have led to increased numbers of cases pending in those areas.

Figure 2.1: Statewide Clearance Rates FY2015 – FY2019

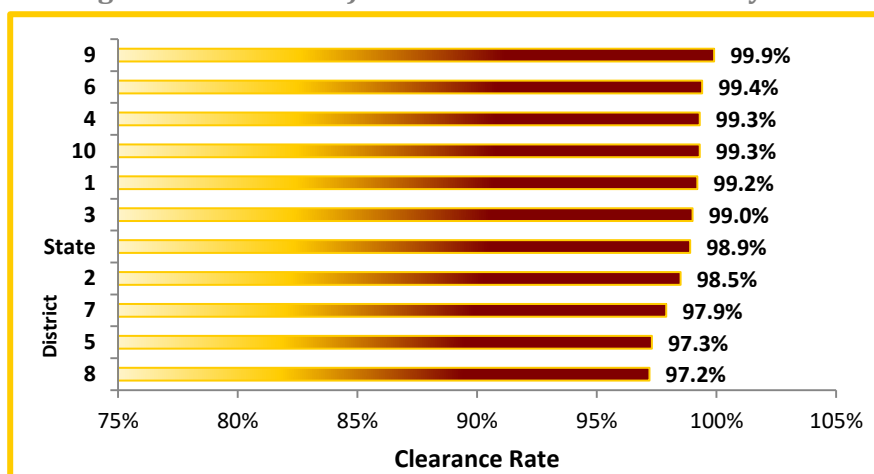
Case Group	Clearance Rates				
	FY15	FY16	FY17	FY18	FY19
Major Crim	100%	92%	100%	95%	97%
Major Civil	104%	96%	105%	106%	101%
Prob/MH	99%	98%	99%	98%	98%
Family	101%	97%	102%	99%	99%
Juvenile	95%	96%	97%	97%	103%
Minor Civil	102%	99%	98%	99%	99%
Minor Crim	96%	96%	101%	105%	100%
<b>State</b>	<b>97%</b>	<b>96%</b>	<b>101%</b>	<b>104%</b>	<b>99%</b>

A Clearance Rate of 100% indicates a court is 'keeping up' with cases filed. A Clearance Rate under 100% indicates a possible growing backlog.

The FY19 Clearance Rate results show improvement over FY18 in Major Criminal and Juvenile cases. The Major Civil and Minor Criminal Clearance Rates declined in FY19 but are still at or above 100% while rates for Probate/Mental Health, Family and Minor Civil remain the same in FY19 as in FY18.

Figure 2.2: Overall (Excluding Minor Criminal) Clearance Rates FY2019 by District

Figure 2.2 shows that the overall FY19 Clearance Rates, excluding Minor Criminal charges, by district, are within 2.7% of each other with a range from 97% in the 8<sup>th</sup> District to 100% in the 9<sup>th</sup> District.



The graphs in Figure 2.3 (next page) show statewide Clearance Rates by case group for the past five fiscal years.

Figure 2.3: Statewide Clearance Rates FY2015 – FY2019 – By Case Group

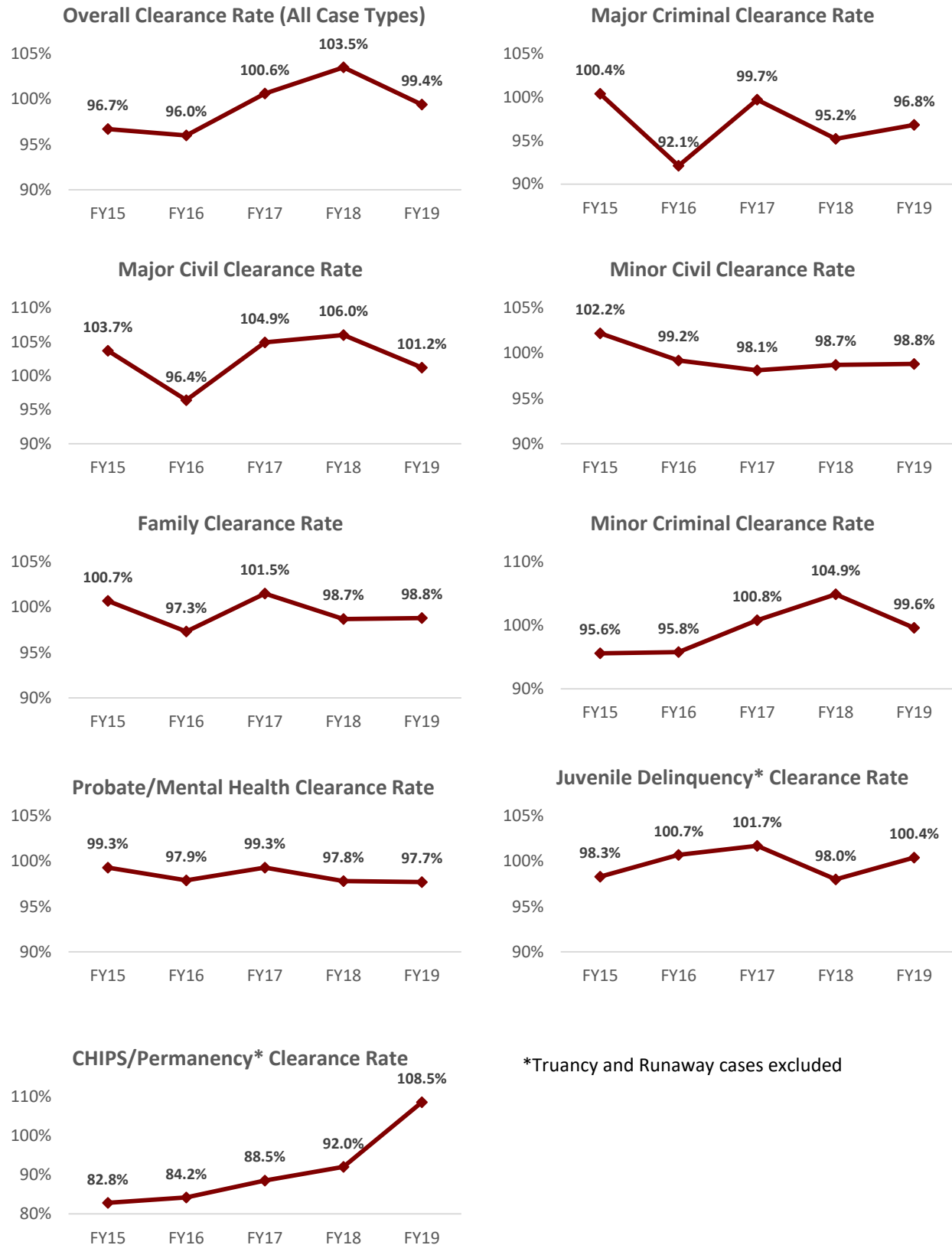
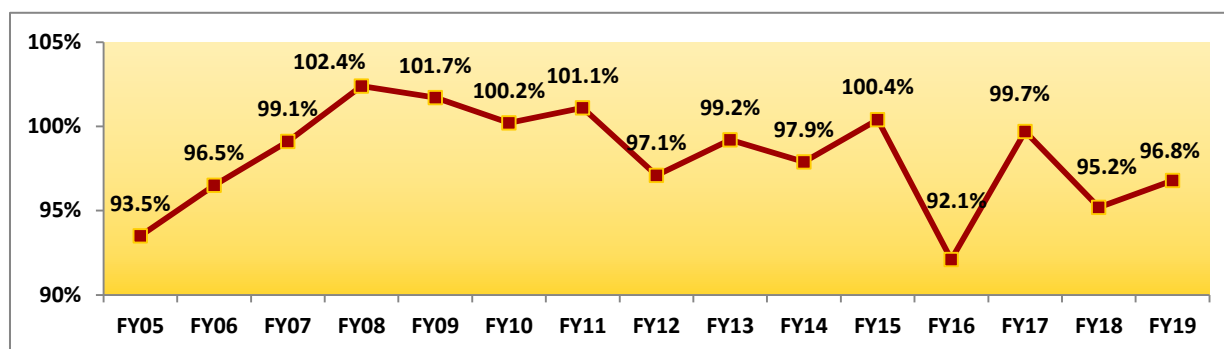


Figure 2.4: Statewide Major Criminal Clearance Rates – FY2005-FY2019 (15 Years)

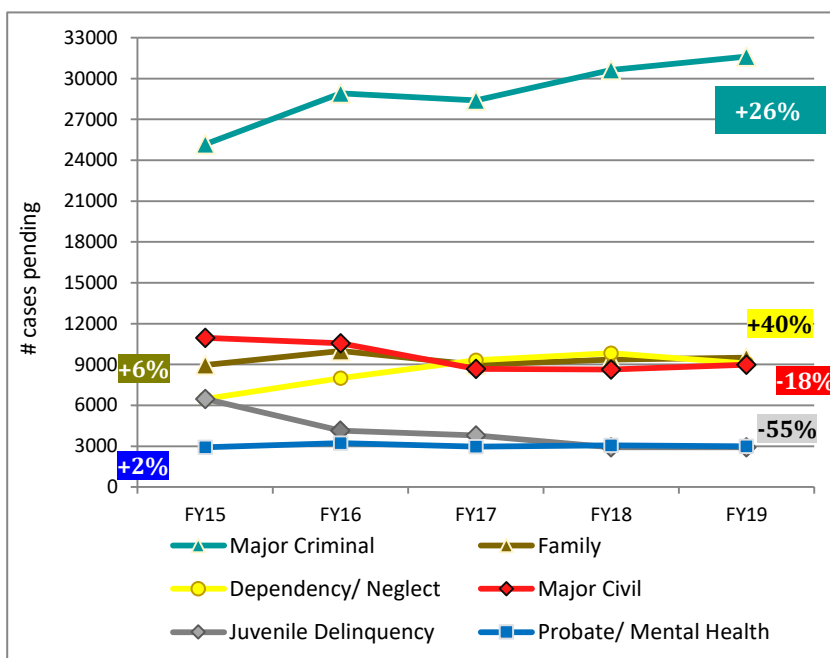


Major Criminal Clearance Rates declined to the lowest rate over 15 years in FY16 (92.1%) as shown in Figure 2.4. This rate improved to nearly 100% in FY17, declined in FY18 to 95.2%, but increased in FY19 (96.8%). The highest clearance rate for major criminal cases during the past 15 years was in FY08 (102.4%). The trend of Major Criminal Clearance Rates being below 100% over several of the past 15 years indicates that a backlog of cases may be building. As evidence of this issue, the number of 'active' pending Major Criminal cases has increased by 26% in the last five years as shown below.

Figure 2.5: Statewide Active Pending Caseload, Major Cases FY2015 – FY2019

Figure 2.5 shows that the number of cases pending in major case groups from FY15 to FY19 has declined in Juvenile Delinquency (-55%) and Major Civil (-18%) cases.

Increased numbers of cases/children are pending in Major Criminal (+26% from FY15-FY19), and Dependency/Neglect pending numbers have increased 40% from FY15-FY19. There were 6,472 children on pending cases at the end of June 2015 compared to 9,079 children with pending cases at the end of June 2019.



Excludes Dormant Cases and Out on Warrant

## TIME TO DISPOSITION

- ◆ Statewide, 96% of all cases disposed in FY2019 were disposed within the 99<sup>th</sup> percentile time objective (for cases with timing objectives).
- ◆ Dissolution (with or without child), and Domestic Abuse cases performed above the timing objectives for dispositions at the 99<sup>th</sup> percentile in FY2019.
- ◆ Major Criminal cases have the highest percentage disposed beyond the 99<sup>th</sup> percentile time objective (8.6%). (Goal is 1% or lower)

The Time to Disposition measure assesses the length of time it takes a court to process cases. This measure takes into account (subtracts out) periods during which cases are dormant.

Figure 2.6: Statewide Time to Disposition Cases Disposed in MNCIS in FY 2019

WCL Case Group	90th Percentile			97th Percentile			99th Percentile			Beyond 99th		Total	
	Obj	Cases	%	Obj	Cases	Cum %	Obj	Cases	Cum %	Cases	%	Cases	Avg Days
Major Criminal	4	30,409	46.3	6	12,242	64.9	12	17,436	91.4	5,654	8.6	65,741	167
Major Civil	12	28,685	92.6	18	1,293	96.7	24	457	98.2	554	1.8	30,989	113
Dissolutions	12	13,948	94.3	18	590	98.2	24	173	99.4	86	.6	14,797	108
Domestic Abuse	2	10,228	97.5	3	122	98.7	4	52	99.2	86	.8	10,488	10
Juvenile Del	3	10,819	76.2	5	1,939	89.8	6	485	93.2	963	6.8	14,206	69
Minor Crim	3	457,002	85.9	6	43,321	94.0	9	12,193	96.3	19,544	3.7	532,060	112
State Total		551,091	82.5		59,507	91.4		30,796	96.0	26,887	4.0	668,281	115

Objectives are in months; Minor Criminal counts are cases, rather than charges as on other case statistics reports

In FY19, the Major Criminal category has the highest percent of cases disposed past the 99<sup>th</sup> percentile objective (8.6%) followed by Juvenile Delinquency (6.8%) (goal is 1% or lower) while Dissolution and Domestic Abuse cases exceeded the goals for time to disposition.



**Figure 2.7: Percent of Cases Disposed Beyond the 99<sup>th</sup> Percentile Objective, FY 2019, by Case Group, By District**

District	% of Cases Disposed Beyond the 99 <sup>th</sup> Percentile					
	Major Criminal	Major Civil	Dissolutions	Dom Abuse	Juvenile Delinq.	Minor Criminal
1	8.7%	.5%	.5%	1.0%	4.8%	1.8%
2	5.3%	8.3%	.4%	.8%	2.3%	11.5%
3	9.2%	.6%	.2%	1.0%	10.4%	1.3%
4	7.2%	.8%	.6%	.8%	8.5%	5.4%
5	7.8%	1.4%	.5%	.9%	8.8%	1.1%
6	7.7%	1.0%	1.4%	.7%	5.7%	1.1%
7	10.9%	1.4%	.5%	.8%	6.4%	1.6%
8	5.3%	.5%	.5%	.4%	8.4%	.8%
9	8.0%	1.2%	.9%	.7%	6.0%	.9%
10	11.9%	.6%	.7%	1.0%	6.8%	2.2%
<b>Total</b>	<b>8.6%</b>	<b>1.8%</b>	<b>.6%</b>	<b>.8%</b>	<b>6.8%</b>	<b>3.7%</b>

Figure 2.7 shows the percent of cases disposed beyond the 99<sup>th</sup> percentile by case group, by district, for FY19.

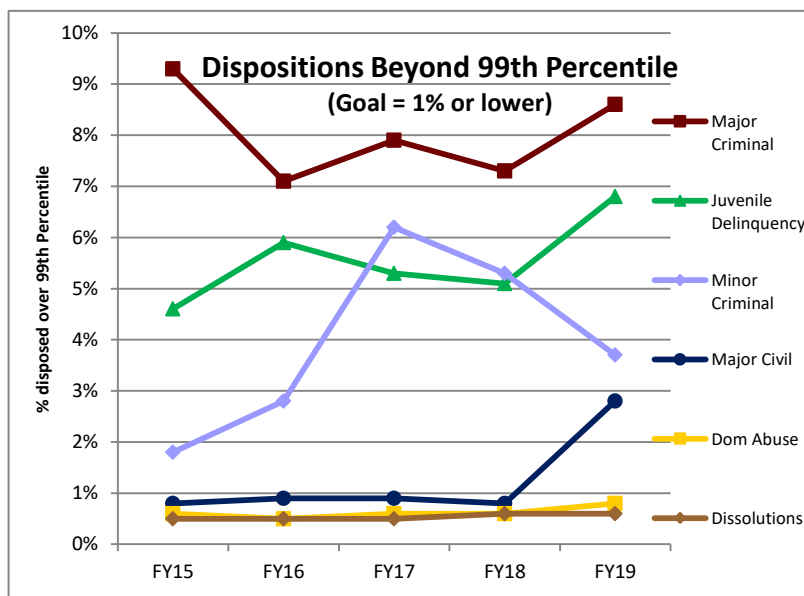
There are variations among districts in Major Criminal where the 2<sup>nd</sup> and 8<sup>th</sup> Districts disposed of 5.3% of these cases beyond the timing objective of 12 months while the 10<sup>th</sup> District disposed of 11.9% beyond the 99<sup>th</sup> percentile and the 7<sup>th</sup> District disposed of 10.9% over the time objective.

Statewide, Dissolution and Domestic Abuse cases were disposed within the 99<sup>th</sup> percentile objective and all districts except one met these time guidelines. Juvenile Delinquency cases disposed beyond six months range from a low (lower is better) of 2.3% in the 2<sup>nd</sup> District to 10.4% in the 3<sup>rd</sup> District.

Statewide, Dissolution and Domestic

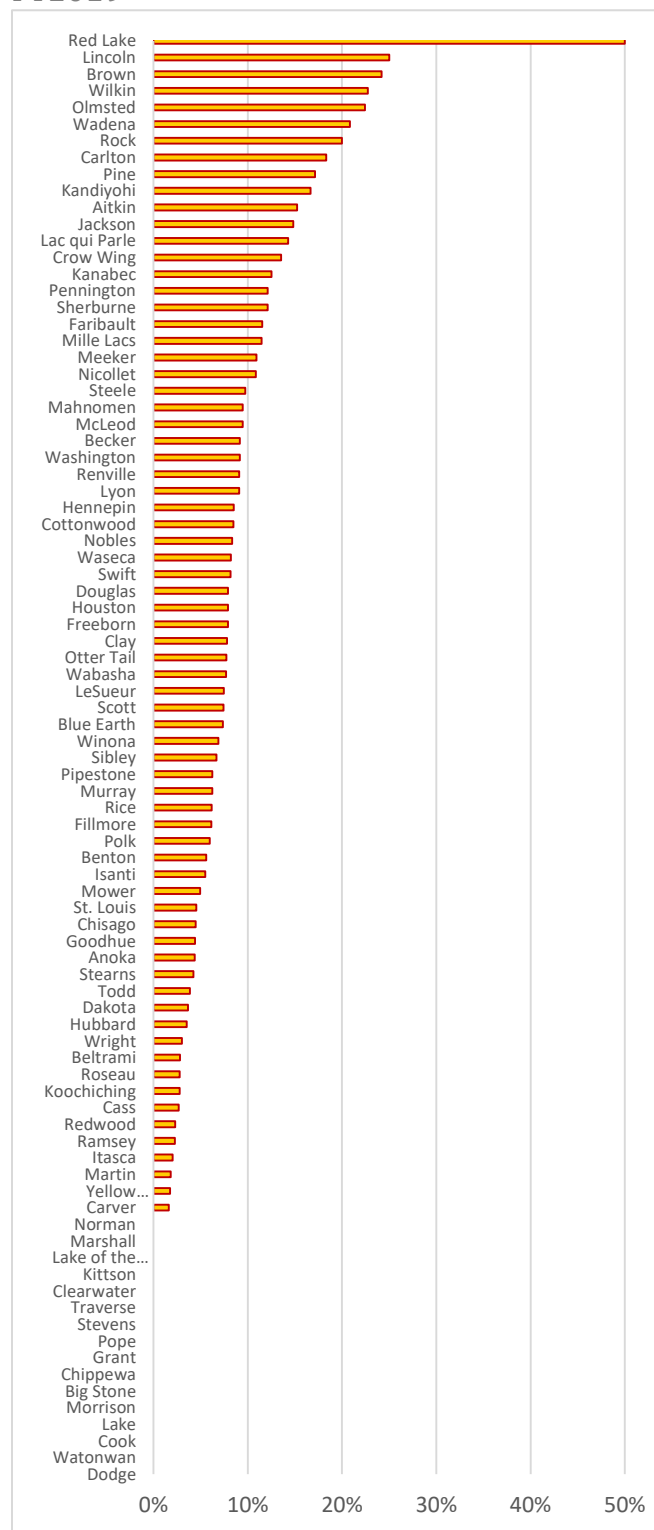
**Figure 2.8: Percent of Cases Disposed Statewide Beyond 99<sup>th</sup> Percentile, FY2015-FY2019, by Case Category**

The percent of Major Criminal cases disposed in FY19 beyond one year (8.6%) has increased to the highest level since FY15. (Lower percent is better.) Juvenile Delinquency and Major Civil cases have increased to their highest levels over the past five fiscal years. Domestic Abuse and Dissolutions have remained fairly steady during the past five years at under 1% of cases disposed beyond the time objectives. The Minor Criminal results are influenced by the change from processing cases in ViBES in the 2<sup>nd</sup> and 4<sup>th</sup> Districts to the current processing in MNCIS, but show declines (improvements) since a high of over 6% in FY17.



In addition to looking at Time to Disposition by district, or by case category, there is more variation when looking at individual county results. Figure 2.9 illustrates county variation in Time to Disposition for all levels of Juvenile Delinquency cases in FY19. It shows that the percent of cases disposed beyond the 6-month objective (99<sup>th</sup> percentile) ranges from 0% to 50%.

**Figure 2.9: Percent of Delinquency Cases Disposed Beyond 6 Months, By County, FY2019**



The statewide percent of all Delinquency cases (Felony, Gross Misdemeanor, and Misdemeanor) disposed beyond the time objective is 6.8% in FY19. Seven counties had 20% or more of these cases disposed in FY19 beyond the 99<sup>th</sup> percentile goal.

However, a small number of dispositions can produce large variations in the percent of cases that were disposed beyond the timing objective. Numbers of Delinquency dispositions in FY19 vary from seven counties with fewer than 10 dispositions to Hennepin County with 2,806 Delinquency dispositions.

## AGE OF PENDING CASES

- ◆ Timing objectives for Age of Pending cases are being met for Dissolution cases. (Timing objectives are the same as those used for Time to Disposition.)
- ◆ Among districts, the percent of all cases (excluding minor criminal) pending beyond the 99<sup>th</sup> percentile ranges from 3.7% in the 2<sup>nd</sup> District to 8.3% in the 5<sup>th</sup> District.

**Figure 2.10: Statewide Age of Pending Cases as Of 7/4/2019**

Case Group	90th Percentile	Cum 97th Percentile	Cum 99th Percentile	Over 99th Percentile	Total Active Cases Pending
Major Crim	56.1%	71.1%	92.4%	7.6%	31,339
Major Civil	88.1%	95.1%	97.5%	2.5%	8,965
Dissolutions	91.5%	97.6%	99.4%	.6%	4,228
Dom Abuse	73.0%	81.5%	85.1%	14.9%	363
Juv Delinq	73.4%	86.6%	90.2%	9.8%	2,897
Minor Crim	59.8%	69.6%	75.6%	24.4%	120,079

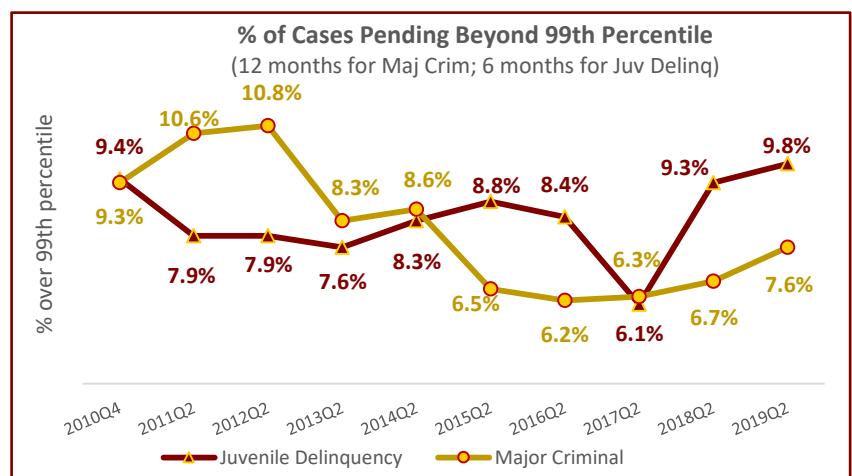
The statewide average for non-Minor Criminal case types pending over the 99<sup>th</sup> percentile ranges from 15% of Domestic Abuse cases to .6% of Dissolutions pending beyond the time objective. While there is a larger percentage of Domestic Abuse cases pending beyond the 4 month time objective, these cases are ultimately disposed within the appropriate

timeframe. (Only .8% of Domestic Abuse dispositions are beyond the time objective.)

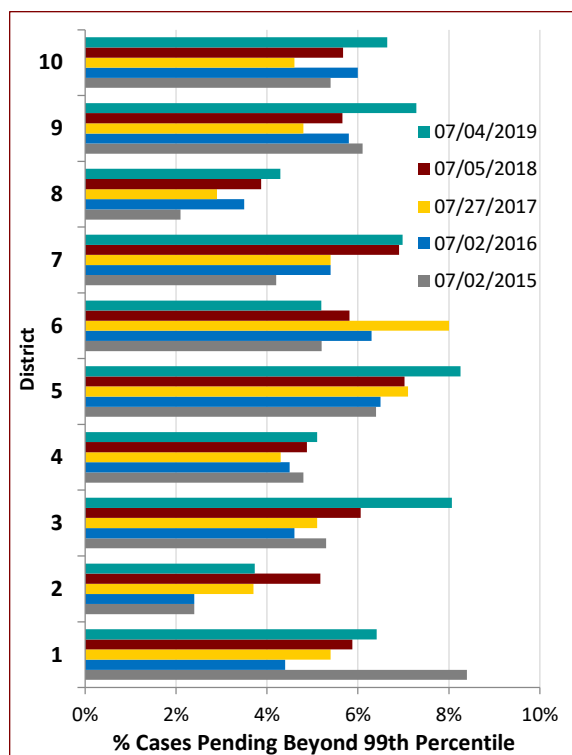
Minor Criminal results are influenced by the change in the status of minor criminal cases in the 2<sup>nd</sup> and 4<sup>th</sup> Districts after conversion from ViBES to MNCIS.

**Figure 2.11: Trend of Statewide % of Major Criminal and Juvenile Delinquency Cases Pending Beyond 99<sup>th</sup> Percentile Time Objective**

Results of Major Criminal Age of Pending cases have improved over the past several years (lower number is better), but there is an uptick in FY18 and FY19. The increased number of cases pending beyond one year is reflective of lower Clearance Rates for Major Criminal cases. Juvenile Delinquency percent of cases pending beyond 6 months has also declined (lower is better) over the past years with the lowest result at the end of FY17. But, the percent of cases pending beyond the time objective has increased from 6.1% at the end of June 2017 to 9.8% of cases pending beyond the timing objective at the end of June 2019.



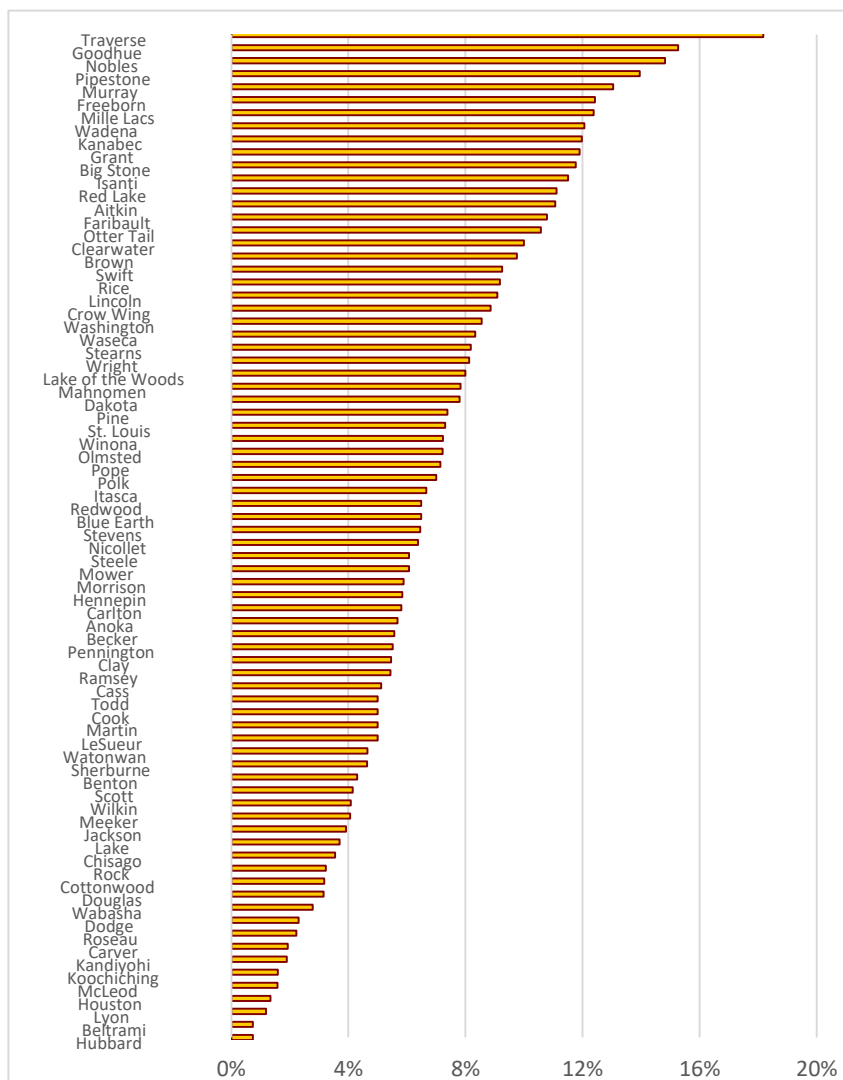
**Figure 2.12: Trends in District Age of Pending Cases Past 99<sup>th</sup> Percentile, All Case Types except Minor Criminal**



The overall results of Age of Pending cases at the end of FY19 (excluding Minor Criminal) vary from 3.7% of cases pending beyond the 99<sup>th</sup> percentile timing objectives in the 2<sup>nd</sup> District, to 8.3% beyond the objectives in the 5<sup>th</sup> District.

Comparing the percent of cases pending beyond the time objectives in FY15 to FY19, the 1<sup>st</sup> District has a lower percent of cases pending beyond the objective (lower = better), the 6<sup>th</sup> District has the same percent in FY19 as FY15 and all other districts have a higher percent of cases pending beyond the time objectives. Comparing FY19 to FY18 shows that just two of the districts (2<sup>nd</sup>, 6<sup>th</sup>) have improved results in overall Age of Pending cases while eight have declined (higher numbers = declined).

**Figure 2.13: Percent of All Major Criminal Cases Pending beyond 12 months**



Within statewide and district results, there is a lot of variation among counties. An example of this variation is shown in the Age of Pending of all Major Criminal cases pending as of 7/4/2019.

Statewide, 7.6% of these cases were pending beyond the 99<sup>th</sup> percentile at the end of FY19. Across counties, the percent of Major Criminal cases pending beyond one year ranges from 0% to 18%. The largest number of these cases pending as of 7/4/2019 is in Hennepin County which had over 5,600 Major Criminal cases pending, 6.0% pending beyond one year.

## LENGTH OF TIME TO PERMANENCY AND ADOPTION

- ◆ Just over half (55%) of the children who reached permanency during FY2019 did so after being out of home for 12 months or less (across all types of CHIPS/Permanency cases), compared to 59% in FY2018. (Goals are 90% by 12 months, 99% in 18 months.)
- ◆ The objective of having 60% of children reach adoption within 24 months of removal from the home is considered an 'aspirational goal'. In FY2019, 47% of children statewide were adopted within 24 months. District numbers range from 78% reaching adoption by 24 months down to 11%.

*"It is the policy of the Judicial Branch that juvenile protection cases... be expedited in conformance with state and federal requirements with the goal of serving the best interests of children by providing safe, stable, and permanent homes for abused and neglected children.*

*... CJI judges accept shared responsibility for monitoring and improving performance on federal and judicial branch child welfare measures and are encouraged to develop and implement local plans to improve such performance."*

*Judicial Council Policy 601*

One of the goals of the Children's Justice Initiative (CJI) is for children removed from a custodial parent to have permanency and stability in their living situation. The Length of Time to Permanency and Time to Adoption reports assist courts in determining the length of time it takes, over the lives of children, to provide permanency to those who are removed from home.

**Figure 2.14: Length of Time for Children to Reach Permanency in FY2019, by District**

Figure 2.14 shows that, statewide, the goals of having 50% of children reach permanency by 6 months, 90% by 12 months and 99% by 18 months were not met during FY19.

There is variation among districts for the percent of children reaching permanency within 18 months (goal is 99%). The range is from 66% in the 2<sup>nd</sup> and 6<sup>th</sup> Districts to 96% reaching permanency within 18 months in the 8<sup>th</sup> District. The number of children reaching permanency is highest in the 4<sup>th</sup> District (985) and lowest in the 8<sup>th</sup> District (206) with nearly 5,000 children, statewide, reaching permanency in FY19.

District	% reaching perm by 6 months	Cum % reaching perm by 12 months	Cum % reaching perm by 18 months	Total Number Children
1	30%	59%	86%	526
2	17%	36%	66%	550
3	27%	66%	91%	392
4	19%	42%	67%	985
5	29%	64%	87%	292
6	16%	37%	66%	432
7	33%	65%	89%	580
8	38%	71%	96%	206
9	31%	68%	89%	534
10	22%	64%	88%	465
<b>State</b>	<b>25%</b>	<b>55%</b>	<b>80%</b>	<b>4,962</b>
<b>Goal</b>	<b>50%</b>	<b>90%</b>	<b>99%</b>	

Figure 2.15: Five Year Trend, Children Reaching Permanency by 18 months, By District

<b>% of children reaching permanency by 18 months (goal is 99%), FY 2015 to FY 2019</b>					
<b>District</b>	<b>FY19 %</b>	<b>FY18 %</b>	<b>FY17 %</b>	<b>FY16 %</b>	<b>FY15 %</b>
1	86	90	91	93	93
2	66	78	80	83	80
3	91	88	94	90	96
4	67	67	78	79	87
5	87	91	93	91	91
6	66	74	73	79	88
7	89	92	89	94	91
8	96	94	94	98	92
9	89	83	91	91	94
10	88	87	91	91	93
<b>State</b>	<b>80%</b>	<b>82%</b>	<b>86%</b>	<b>87%</b>	<b>90%</b>
<b># children</b>	<b>4,962</b>	<b>5,105</b>	<b>4,762</b>	<b>4,370</b>	<b>3,531</b>

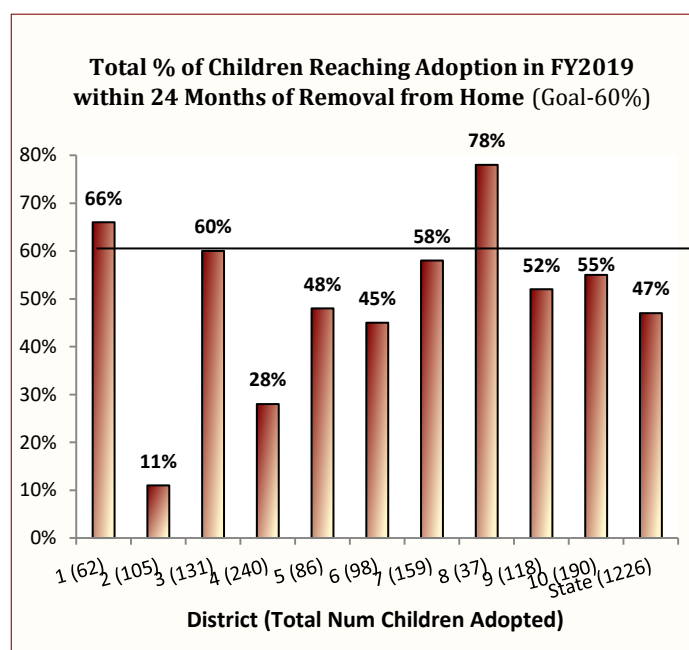
Over the past five fiscal years, the goal of 99% of children reaching permanency by 18 months has not been met by any individual district or the state, although several districts have results above 90%. Statewide, the current FY19 result of 80% reaching permanency within 18 months is the lowest over the past five fiscal years.

The results for FY19 are likely impacted by the previous three years of increasing numbers of children who have had CHIPS or Permanency cases filed.

<b>Fiscal Year</b>	<b># Children with CHIPS/Perm Filing</b>
FY15	8,538
FY16	10,162
FY17	10,730
FY18	10,988
FY19	9,769

The number of children with a CHIPS or Permanency case filed in the past five fiscal years has increased 14%, but has declined 11% in FY19 compared to FY18. There were under 10,000 children with a filing in FY19 for the first time since FY15.

Figure 2.16: Length of Time for Children to Reach Adoption, FY2019, By District



The Judicial Council set an objective that 60% of all children who are under State Guardianship should reach adoption within 24 months from the original removal from the home. This measure starts when a child is removed from the home to being under state guardianship, and then the time it takes from the guardianship order to adoption. The two sets of time are added together to get the total Length of Time to Adoption.

Fewer than half (47%) of the 1,226 state ward children adopted in FY19 reached adoption within 24 months of removal from home (goal is 60%). Three districts met or exceed the goal (1<sup>st</sup>, 3<sup>rd</sup>, 8<sup>th</sup>), while seven districts had from 11% to 58% of children reach adoption within two years.

**Figure 2.17: Percent of Children Adopted by 24 Months, Statewide, FY15-FY19**

Year Adoption Finalized	% Adopted by 24 Months (Goal is 60%)	Total # Children Reaching Adoption
FY 2019	47%	1,226
FY 2018	50%	978
FY 2017	54%	849
FY 2016	56%	772
FY 2015	57%	610

The 47% of children reaching adoption by 24 months of being out of home in FY19 continues a downward trend and is the lowest it has been in the past five fiscal years (higher numbers generally are better) as is shown in Figure 2.17.

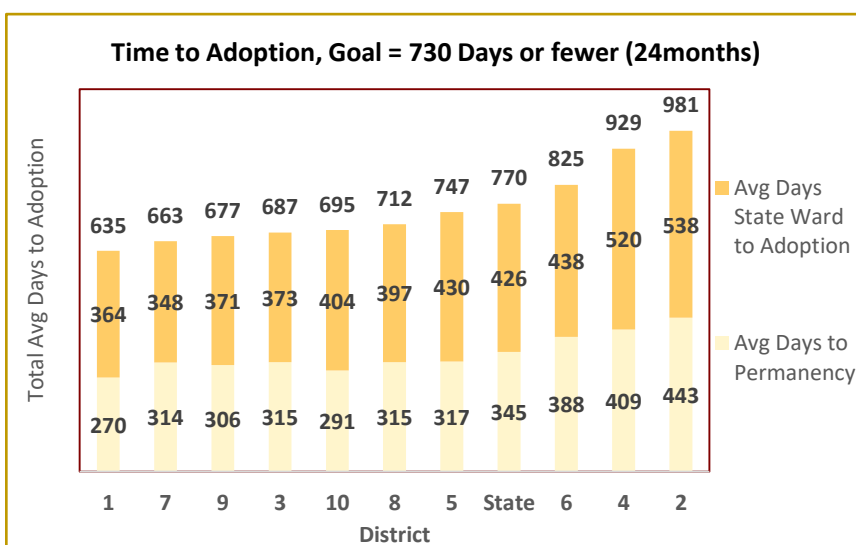
The number of children reaching adoption has increased during this time from 610 in FY15 to 1,226 in FY19 – an increase of 101%.

The automated Time to Adoption for Children Under State Guardianship report shows details for each child with the time to adoption broken into the time from removal from home to the guardianship order and then the time from guardianship order to adoption order. Figure 2.18 below shows that there is variation among districts in these two phases.

**Figure 2.18: Average Number Days to Adoption, by Phase, by District, FY2019**

Six districts have an average number of days per child to reach adoption that is below the 24 month time objective (730 days). (Lower numbers are generally a more positive result.)

The statewide average number of days from removal from the home to guardianship order (345 avg. days to permanency) comprises 45% of the total time to adoption and 55% is the time from the guardianship order to adoption (426 days).



The variation in Time to Adoption by district is from 635 days in the 1<sup>st</sup> District to 981 days in the 2<sup>nd</sup> District.



## COURT OF APPEALS DISPOSITIONS WITHIN TIME STANDARDS

The Court of Appeals has adopted the American Bar Association measure of ‘case clearance’, which measures cases from beginning (filing) to end (disposition). The goals are to have 75% of cases disposed within 290 days of filing and 90% disposed within 365 days of filing for all cases.

- ◆ In FY2019, the Court of Appeals fell just short of this goal, with 69% of total cases disposed within 290 days of filing. The court disposed of 84% of civil cases and nearly 100% of juvenile protection and juvenile delinquency cases within 290 days.
- ◆ Criminal cases continue to present challenges, because they have longer deadlines for ordering transcripts and usually multiple transcripts being prepared by separate court reporters, which is uncommon in civil cases. The court also had nearly 20% more juvenile protection cases, which are given priority for oral argument dates and have shorter opinion deadlines (increase the time between last brief and disposition in other casetypes). Finally, two judges retired and were unavailable to hear cases during the busy fourth quarter.

**Figure 2.19: Percent of Court of Appeals Cases Disposed Within 290 Days of Filing, FY2017-FY2019**

Court of Appeals Percentage of Cases Disposed Within 290 Days of Filing From Filing to Disposition Goal = 75% of Cases						
	FY2019		FY2018		FY2017	
		% of cases meeting objective		% of cases meeting objective		% of cases meeting objective
Civil	# Cases		# Cases		# Cases	
General Civil	625	79%	651	91%	672	88%
Unemployment	79	86%	87	94%	94	99%
Family	187	92%	196	98%	170	96%
Other	80	100%	65	100%	49	98%
Total Civil	971	84%	999	93%	985	91%
Criminal						
Criminal	828	48%	812	54%	798	54%
Juvenile Protection						
Protection	95	99%	81	100%	76	100%
Juv. Delinquency						
Delinquency	18	100%	19	95%	14	86%
Total Cases*	1,912	69%	1,911	77%	1,873	75%

\* For purposes of calculating case clearance rates, later-filed related cases, which are consolidated for decision purposes, are not included in this total. As a result, the actual number of cases disposed by the court is higher than the “Total Cases” shown.

All case categories have increased numbers of cases disposed from FY2017 to FY2019, except for a small decline in civil cases.



The Court of Appeals exceeded the goal of disposing 90% of cases within 365 days, by disposing of 93% of its cases within that time in FY19. The court disposed of 97% of civil cases and 100% of juvenile protection and juvenile delinquency cases within 365 days. Criminal cases came close to meeting the goal, with 88% disposed within 365 days.

**Figure 2.20: Percent of Court of Appeals Cases Disposed Within 365 Days of Filing, FY2017-FY2019**

<b>Court of Appeals Percentage of Cases Disposed Within 365 Days of Filing From Filing to Disposition Goal = 90% of Cases</b>						
	<b>FY2019</b>		<b>FY2018</b>		<b>FY2017</b>	
	<b># Cases</b>	<b>% of cases meeting objective</b>	<b># Cases</b>	<b>% of cases meeting objective</b>	<b># Cases</b>	<b>% of cases meeting objective</b>
<b>Civil</b>						
General Civil	625	96%	651	99%	672	99%
Unemployment	79	100%	87	99%	94	100%
Family	187	98%	196	100%	170	99%
Other	80	100%	65	100%	49	100%
<b>Total Civil</b>	<b>971</b>	<b>97%</b>	<b>999</b>	<b>99%</b>	<b>985</b>	<b>99%</b>
<b>Criminal</b>						
Criminal	828	88%	812	91%	798	89%
<b>Juvenile Protection</b>						
Protection	95	100%	81	100%	76	100%
<b>Juv. Delinquency</b>						
Delinquency	18	100%	19	100%	14	100%
<b>Total Cases*</b>	<b>1,912</b>	<b>93%</b>	<b>1,911</b>	<b>96%</b>	<b>1,873</b>	<b>95%</b>

\* For purposes of calculating case clearance rates, later-filed related cases, which are consolidated for decision purposes, are not included in this total. As a result, the actual number of cases disposed by the court is higher than the "Total Cases" shown.

## SUPREME COURT DISPOSITIONS WITHIN TIME STANDARDS

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- ◆ The Supreme Court adopted revised timing objectives in January, 2015 that were effective April 1, 2015.
- ◆ The Supreme Court measure for having 95 percent of cases handled within time objectives for all case types - submission to disposition is at 87%.

The Supreme Court first approved timing objectives, or case dispositional goals, in March, 2007. The case categories, case-processing points of measurement, and timing objectives to complete certain events in the life-cycle of an appeal, were taken generally from standards adopted by the American Bar Association in 1994. The adopted timing objectives were considered aspirational but achievable.

In 2014, the Supreme Court undertook a study of its timing objectives in light of recommendations by the National Center for State Courts for model time standards for appellate courts. The Supreme Court also considered the time standards adopted by other states' appellate courts.

Based on its study, the Supreme Court revised its timing objectives by reducing the number of case-processing events to which the standards apply, reducing the time allotted for disposition of an appeal, and reducing the percentage of cases (from 10% to 5%) that are not subject to a time standard ("Beyond 95<sup>th</sup> percentile" in the table). The Supreme Court adopted revised timing objectives in January 2015 that were effective April 1, 2015.

Data shown in Figure 2.21 on the next page identifies the court's performance based on three factors: (1) the case type or jurisdiction (discretionary; expedited); (2) the case-processing event (PFR to disposition; submission to circulation; submission to disposition); and (3) the timing objective to complete the event ("Days" in the table).

"Days" in the table represents the court's goal – number of days – to complete the event.

"Cases" in the table represents the number of cases that met the timing objective (number of days) in the time period.

"%" in the table represents the percentage of cases within the time period that met or did not meet the objective (number of days).

"Total/Aver." represents the total number of cases in the time period that completed the specific case-processing event and the average number of days to do so.

Figure 2.21: Supreme Court Timing Standards, Fiscal Year 2019

<b>Supreme Court Time Standards</b> <b>Performance Report: Cases Submitted July 1, 2018-June 30, 2019 (FY2019)</b>											
<b>Case Type: Event</b>	<b>75<sup>th</sup> Percentile</b>			<b>95<sup>th</sup> Percentile</b>			<b>Beyond 95<sup>th</sup> Percentile</b>			<b>Total/ Aver.</b>	
	Days	Cases	%	Days	Cases	%	Days	Cases	%	Cases	Aver
<i>All case types: submission to circulation of majority</i>	45	33	34%	75	62	64%	N/A	35	36%	97	60
<i>All case types: submission to disposition</i>	120	40	60%	180	58	87%	N/A	9	13%	67	119
<i>Discretionary: PFR filing to disposition</i>	50	342	58%	60	526	89%	N/A	63	11%	589	49
<i>Expedited (TPR, Adopt'n): PFR filing to disposition</i>	25	19	95%	25	19	1	N/A	1	5%	20	17
<i>Expedited (TPR, Adopt'n): submission to circulation of majority</i>	20	N/A	N/A	30	N/A	N/A	N/A	N/A	N/A	N/A	N/A
<i>Expedited (TPR, Adopt'n): submission to disposition</i>	45	N/A	N/A	60	N/A	N/A	N/A	N/A	N/A	N/A	N/A

## INTEGRITY AND ACCOUNTABILITY

The Minnesota Judicial Branch will ensure the integrity and accountability of its performance by maintaining a record system that is accurate, complete and timely.

*Is the electronic record system accurate, complete and timely?*

### DATA QUALITY AND DOCUMENT SECURITY

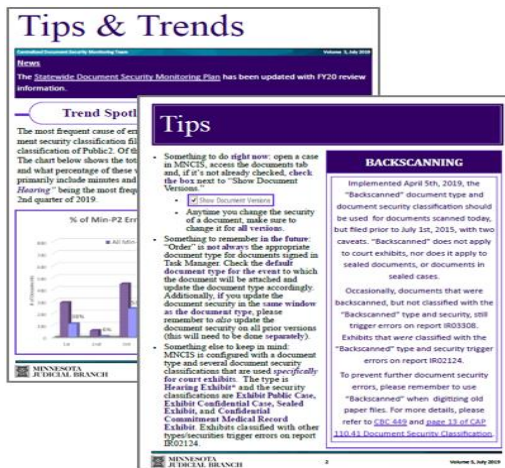
The Data Quality program is part of the Court Administration Process (CAPs) Unit at SCAO. This program was created to define data quality standards, identify data quality issues, and determine when it is necessary to develop and implement standard business processes statewide. A focus on safety, public interest, statute and rule implementation, and court information provides a foundation for the ongoing operational activities of the Data Quality Program.

During the past year, focus continued to be placed on increasing access to court documents not only to justice partners but also to the public. This focus requires that documents are appropriately classified to help ensure that justice partners and the public have appropriate electronic access to documents.

*"...It ... is the policy of the Minnesota Judicial Branch that to ensure accurate, complete and uniform access to court records, and to ensure compliance with all applicable laws for the access of court records, the Appellate Courts and District Courts shall comply with document security and classification procedures, provisions and Court Administration Processes (CAPs) as applicable."*

*Judicial Council Policy 505.3  
Data Quality and Integrity*

The CAPs Unit, which is responsible for routine statewide monitoring of all data quality performance, has been able to identify and address statewide trends, identify and request system enhancements, and provide quarterly "tips and tricks" to court users statewide to increase their awareness of data quality issues and resolutions.

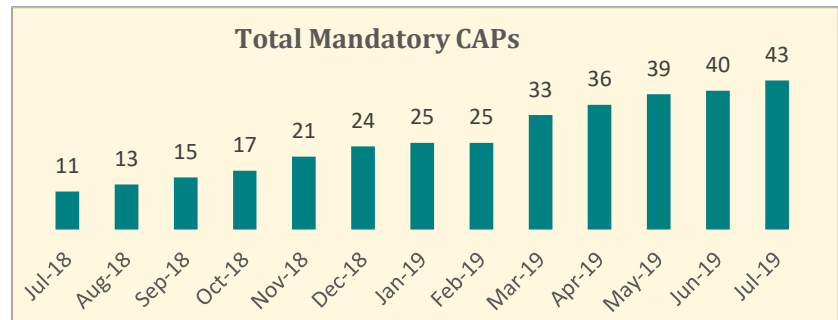


Another data quality focus that has continued has been the development of mandatory Court Administration Processes (CAPs) and compliance monitoring of these mandatory processes. Each CAP is drafted with input and testing from local court administration representatives, as well as state court administration members. Upon publication of each CAP, the processes become mandatory and must be followed statewide.

Each fiscal year, an updated CAPs Compliance Monitoring Plan is developed and approved by a statewide committee. The plan details what processes the CAPs Unit will monitor for compliance as well as what local court administrations' responsibilities are in regards to the compliance monitoring. The monitoring of mandatory processes has resulted in an increase in CAPs compliance and has allowed the unit to determine and address if more technology, training and/or process revisions are necessary.

**Figure 3.1: Total Mandatory Court Administration Process (CAPs), July 2018 to July 2019**

Statewide data quality monitoring, mandatory CAPs, and compliance tracking ensure customers have a consistent experience throughout the courts and that the information and data received is accurate, complete, and timely.



## EXCELLENCE

The Minnesota Judicial Branch will achieve excellence in the resolution of cases by making decisions that are fair, reasoned, understandable, and that resolve the controversy at issue.

*Do participants understand the orders given by the Court?*

### ACCESS AND FAIRNESS SURVEY

- ◆ The most recent Access and Fairness Surveys were completed between December, 2018 and March, 2019. Statewide, 6,052 courthouse visitors submitted survey responses.
- ◆ Statewide, the mean score for the excellence statement in the Fairness section of the survey was 4.2, the same as it was in the 2008 and 2013 surveys. In 2019, 81% of all respondents agreed or strongly agreed with the statement, which is the highest level of agreement within the Fairness section.

The measure for the Excellence goal is the final statement in the Fairness section of the Access and Fairness Survey: “I know what to do next in my case.” The Fairness section of the survey is targeted to respondents who answered “Yes” to the question “Did you appear in front of a judicial officer today?” Overall, eighty-one percent (81%) of respondents agreed or strongly agreed with the statement.

Complete results for the 2019 Access and Fairness survey are available to members of the Judicial Branch on CourtNet.

**Figure 4.1: Access and Fairness Survey Responses to Excellence Question 2019**

Excellence									
		Strongly Disagree	Disagree	Neither	Agree	Strongly Agree	Agree or Strongly Agree	Mean	(N)
Q 15	I know what to do next about my case.	4%	3%	12%	36%	45%	81%	4.2	3,024

## FAIRNESS AND EQUITY

The Minnesota Judicial Branch will provide due process and equal protection of the law, and will ensure that individuals called for jury duty are representative of the population from which the jury is drawn.

*Do participants perceive they were treated fairly, listened to and are they satisfied with the Court's decision?*

### ACCESS AND FAIRNESS SURVEY

- ◆ The Fairness section of the 2019 Access & Fairness Survey had 78% or more respondents agree or strongly agree with each statement in the section.
- ◆ Responses varied by demographic groups and locations, with the greatest differences being by case type. The Fairness Index score (on a scale up to 100), by type of case that brought the respondent to court, ranges from Probate and Civil/Housing (both at 87) to Child Protection (79)

The Fairness Section of the Access and Fairness survey was targeted to respondents who answered “Yes” to the question of “Did you appear in front of a judicial officer today?” Complete results from the survey are available on CourtNet.

Statewide, over three-quarters (78%) or more of all respondents agreed or strongly agreed with all statements in the Fairness Section as noted in Figure 5.1.

**Figure 5.1: Fairness Section Responses Statewide 2019**

Q#	Fairness Section	% Strongly Disagree	% Disagree	% Neutral	% Agree	% Strongly Agree	% Strongly Agree/ Agree	Mean	N
14	I was treated the same as everyone else.	5%	3%	11%	37%	45%	81%	4.1	3,146
15	I know what to do next about my case.	4%	3%	12%	36%	45%	81%	4.2	3,024
12	The judge listened to my side of the story before making a decision.	5%	3%	15%	35%	43%	78%	4.1	2,888
13	The judge had the information necessary to make good decisions about my case.	5%	4%	14%	36%	42%	78%	4.1	3,001
11	The way my case was handled was fair.	6%	3%	13%	36%	41%	78%	4.0	3,126
<b>Fairness Index Score</b>		<b>82</b>							

See footnotes number 1 and 2 on page 14 for explanations of the mean scores and index score.

Figure 5.2: Fairness Index Scores by District 2019

Fairness Index scores by district range from 85 (out of 100) in the 3<sup>rd</sup> District to 79 in the 6<sup>th</sup> District, as shown in Figure 5.2.

Index scores across all court locations, as well as trends by district and location, are available through interactive dashboards on CourtNet.

Although the Fairness Index Score has shown little movement over the three survey periods, there are gradually declining rates of agreement to the Fairness Section statements. Each statement has a lower percentage of respondents reporting they agree or strongly agree in 2019 than in 2008, as shown in Figure 5.3.

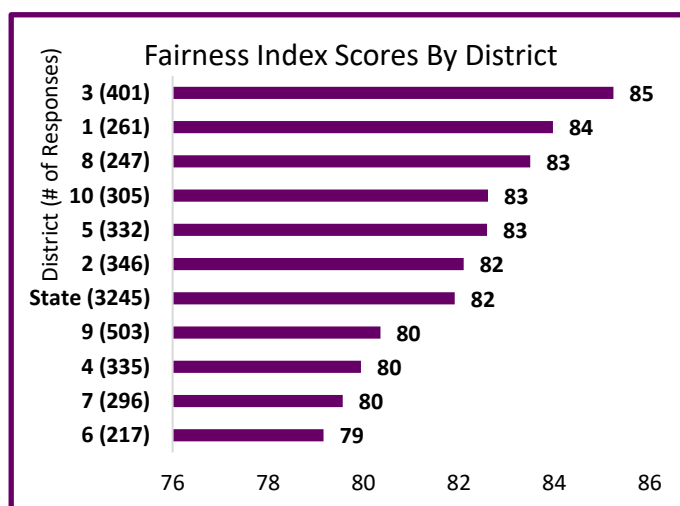


Figure 5.3: Fairness Section Trends, 2008-2019

Q#	Fairness Section Statements	2008		2013		2019	
		% Strongly Agree/ Agree	Mean	% Strongly Agree/ Agree	Mean	% Strongly Agree/ Agree	Mean
11	The way my case was handled by the court was fair.	81%	4.1	78%	4.1	78%	4.0
12	The judge listened to my side of the story before making a decision.	82%	4.1	80%	4.1	78%	4.1
13	The judge had the information necessary to make good decisions about my case.	82%	4.1	80%	4.1	78%	4.1
14	I was treated the same as everyone else.	85%	4.2	83%	4.2	81%	4.1
15	I know what to do next about my case.	85%	4.2	84%	4.2	81%	4.2
Fairness Index Score		83		82		82	

"The judge was very understanding in my case. Thanks."



## FAIRNESS AND EQUITY, CONTINUED

### *Are jurors representative of our communities?*

#### JURY POOLS

- ◆ The jurors who reported to court during FY2019 were very similar racially and ethnically compared to the population of the communities in Minnesota.
- ◆ The gender of jurors in FY2019 is nearly identical to the population of Minnesota.

Demographics of jurors based on returned questionnaires come from the automated jury management system. Figure 5.1 below compares the racial breakdown of the population as reported in the 2010 Census of Eligible Citizens to the jurors who reported for service, returned their questionnaires, and reported their race in FY2019. Statewide, race data was missing from just 1% of jurors.

The census figures are provided by the Minnesota State Demographic Center and loaded directly into the Jury + Web Generation statewide jury system used by jury managers.

**Figure 5.4: FY2019 Juror Race Compared to 2010 U.S. Census Data of Eligible Citizens**

	White		Black		American Indian		Asian		Other & 2+ Races		Total*
	2010 Census	FY19 Jurors	2010 Census	FY19 Jurors	2010 Census	FY19 Jurors	2010 Census	FY19 Jurors	2010 Census	FY19 Jurors	FY19 Jurors
<b>Minnesota</b>	<b>87.9%</b>	<b>89.9%</b>	<b>4.4%</b>	<b>3.1%</b>	<b>1.0%</b>	<b>.9%</b>	<b>3.7%</b>	<b>3.1%</b>	<b>3.0%</b>	<b>2.9%</b>	<b>47,733</b>
1 <sup>st</sup> District	90.2%	92.6%	2.7%	2.3%	.5%	.6%	3.6%	2.0%	3.1%	2.5%	5,422
2 <sup>nd</sup> District	75.9%	77.0%	9.3%	7.2%	.7%	.6%	9.5%	10.4%	4.5%	4.9%	5,887
3 <sup>rd</sup> District	92.7%	95.8%	2.2%	1.0%	.3%	.6%	2.4%	1.0%	2.4%	1.6%	3,914
4 <sup>th</sup> District	78.5%	81.9%	10.0%	7.3%	.8%	.6%	5.8%	5.3%	4.8%	4.9%	10,640
5 <sup>th</sup> District	93.9%	96.1%	1.3%	.4%	.5%	.7%	1.6%	.7%	2.7%	2.1%	2,158
6 <sup>th</sup> District	94.0%	95.3%	1.2%	.3%	2.5%	1.2%	.8%	.5%	1.6%	1.5%	3,143
7 <sup>th</sup> District	94.9%	96.4%	1.3%	.3%	1.1%	1.1%	1.1%	.4%	1.6%	1.7%	5,356
8 <sup>th</sup> District	96.4%	98.1%	.7%	.3%	.6%	.6%	.4%	9%	2.0%	1.0%	2,019
9 <sup>th</sup> District	92.7%	94.0%	.4%	.1%	4.8%	3.8%	.5%	.3%	1.3%	1.8%	3,601
10 <sup>th</sup> District	92.0%	94.2%	2.6%	1.5%	.6%	.6%	2.8%	1.9%	2.0%	1.8%	5,593

\* Total Jurors with and without race reported.

Reported Jurors = All jurors who report for service and return questionnaire (may or may not be in voir dire) (Source: JURY+ Web Generation Database; MJB Jury Reports)

Census data source: Minnesota State Demographic Center

Statewide, the jurors in FY19 are very similar racially compared to the people in Minnesota who are 18 years old or more. However, there is a small over-representation of White jurors and slight under-representation of Black and Asian jurors. Each district has different areas of under- or over-representation except for consistent statewide results for White (slight over-representation) and Black (slight under-representation) jurors compared to the census.

Figure 5.5: FY2019 Hispanic Jurors Compared to Census Data

	Hispanic Ethnicity	
	2010 Census	FY19 Jurors
<b>Minnesota</b>	<b>3.7%</b>	<b>2.5%</b>
1 <sup>st</sup> District	4.1%	2.9%
2 <sup>nd</sup> District	5.8%	3.8%
3 <sup>rd</sup> District	2.9%	2.9%
4 <sup>th</sup> District	4.0%	2.7%
5 <sup>th</sup> District	4.1%	3.3%
6 <sup>th</sup> District	.9%	.7%
7 <sup>th</sup> District	1.8%	1.1%
8 <sup>th</sup> District	3.9%	2.5%
9 <sup>th</sup> District	1.3%	1.6%
10 <sup>th</sup> District	2.3%	2.0%

Jurors are asked to report their race and if they are of Hispanic origin or not. Statewide, there are fewer Hispanic jurors who reported to court in FY2019 than are in the census. (3.7% in census, 2.5% in FY2019 jurors) All district except the 3<sup>rd</sup> and 9<sup>th</sup> also had slightly lower percent of Hispanic jurors reporting to court than are in the census.

Figure 5.6: Comparison of FY2019 Jurors' Gender to Census Results

The juror numbers match closely on gender with the census results as shown in Figure 5.3, although statewide figures show a very small over-representation of female jurors. Most districts also have a small percentage more female jurors than reported in the census, and higher percentage of male jurors than in the census except for the 2<sup>nd</sup>, 4<sup>th</sup>, and 5<sup>th</sup> Districts.

	% Female		% Male	
	2010 Census	FY19 Jurors	2010 Census	FY19 Jurors
<b>Minnesota</b>	<b>50.9%</b>	<b>51.5%</b>	<b>49.1%</b>	<b>48.5%</b>
1 <sup>st</sup> District	51.2%	51.7%	48.8%	48.3%
2 <sup>nd</sup> District	52.4%	51.8%	47.6%	48.2%
3 <sup>rd</sup> District	51.1%	51.7%	48.9%	48.3%
4 <sup>th</sup> District	51.4%	50.9%	48.6%	49.1%
5 <sup>th</sup> District	50.5%	49.4%	49.5%	50.6%
6 <sup>th</sup> District	49.9%	51.0%	50.1%	49.0%
7 <sup>th</sup> District	51.9%	54.5%	48.0%	45.5%
8 <sup>th</sup> District	50.3%	50.7%	49.7%	49.3%
9 <sup>th</sup> District	50.1%	51.8%	49.9%	48.2%
10 <sup>th</sup> District	50.1%	52.6%	49.9%	47.4%

## FAIRNESS AND EQUITY, CONTINUED

*Does the Branch have sufficient race data to assist in analyzing whether persons are treated fairly regardless of race or ethnicity?*

### RACE DATA COLLECTION

- ◆ The Judicial Council approved the addition of Race Data Collection to the core goal of Fairness and Equity at the July, 2018 meeting. This portion of the policy took effect on January 1, 2019.
- ◆ The minimum goal of having 80% of cases with race information recorded is being met statewide across all case categories, and three areas exceed the 'strive-for' goal of 90%. (Major Criminal (93%), Minor Criminal (93%) and Juvenile Delinquency (92%)).

Minnesota Judicial Branch Policy 505.2 contains the following language related to race data collection:

"Each judicial district shall maintain race data collection rates of at least 80% and striving for collection rates of at least 90% on the following case types: Major Criminal, Minor Criminal, Juvenile Delinquency, Juvenile Petty and Traffic, and Juvenile CHIPS. Race data collection rates are available on an on-going basis to judges and court staff via reports on CourtNet." (See [Appendix](#) for examples of race data collection forms)

**Figure 5.7: Race Data Collection Rates on Closed Cases, Statewide, FY2019**

The reports on CourtNet that show race data collection rates focus on self-reported race data for Criminal, Juvenile Delinquency and Juvenile Protection cases. Defendants complete a Race Census Form, which can be either electronic or paper, when they appear in court for a hearing. In juvenile protection matters, the parent or guardian completes the form on behalf of the child/children.

Figure 5.4 shows that all case categories have 85% or more of closed cases with race data reported statewide in fiscal year 2019. Major Criminal, Minor Criminal and Juvenile Delinquency cases had 92% or more of closed cases with race data collected.

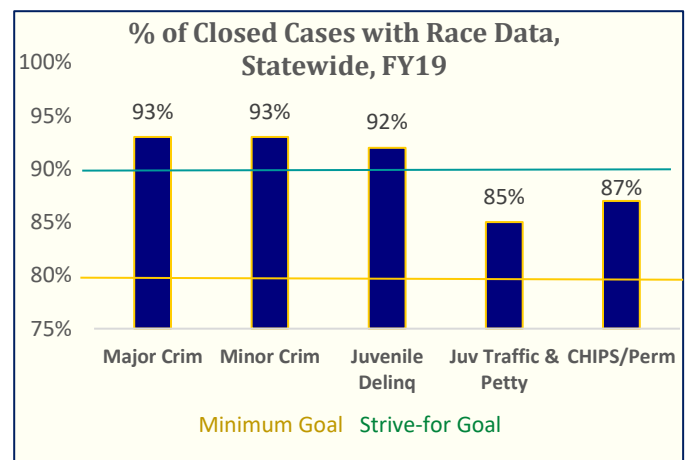


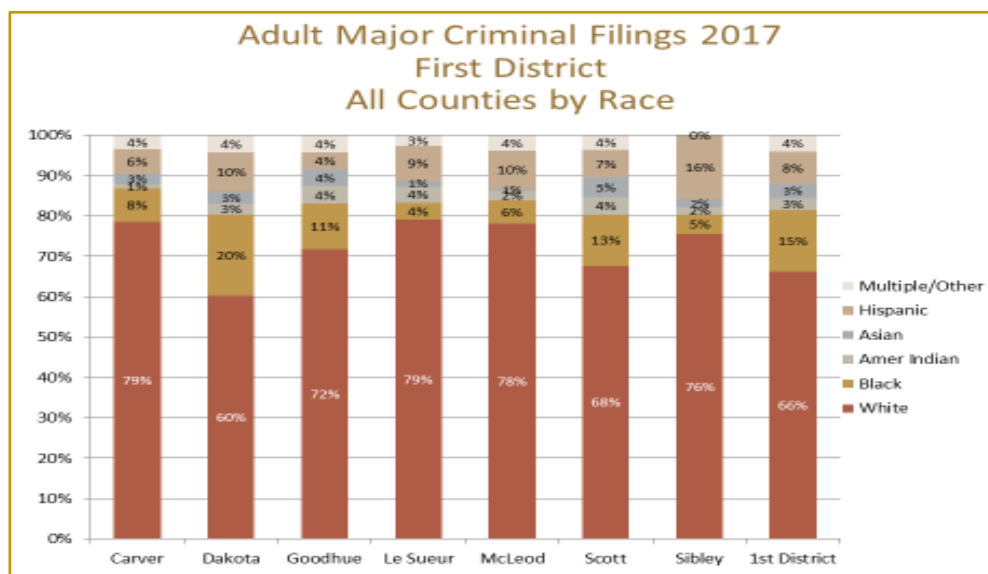
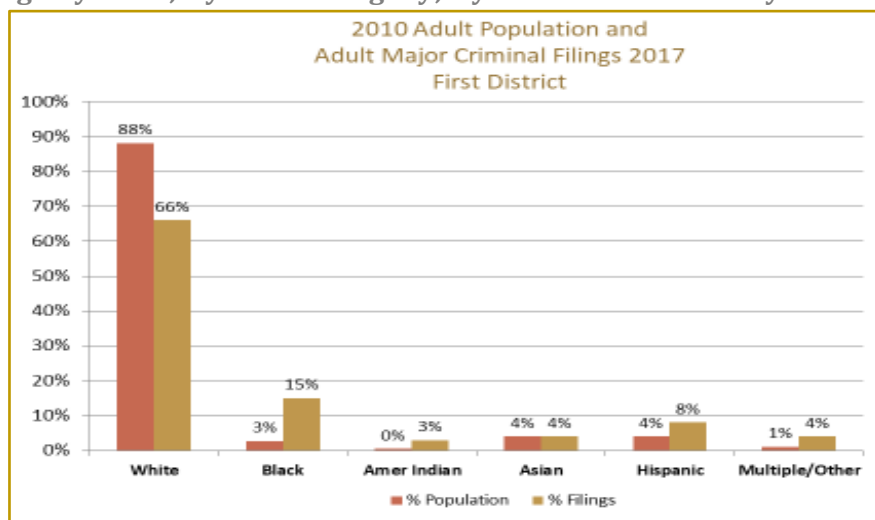
Figure 5.8: Race Data Collection Rates, Closed Cases, by District, FY2019

% of Closed Cases with Race Data (July, 2018 – June, 2019)					
Dist	Major Criminal	Minor Criminal	Juvenile Delinquency	Juvenile Petty & Traffic	Juvenile CHIPS
1	95%	95%	94%	93%	97%
2	95%	92%	97%	87%	92%
3	95%	92%	93%	86%	93%
4	93%	95%	96%	87%	94%
5	95%	93%	90%	87%	79%
6	94%	91%	86%	80%	96%
7	95%	92%	91%	85%	80%
8	94%	91%	87%	77%	76%
9	94%	93%	94%	93%	87%
10	88%	86%	88%	73%	73%
State	93%	93%	92%	85%	87%

Nearly all race data collection rates by district and by case types are at 80% or above. The only exceptions to achieving this collection rate are in Juvenile Traffic/Petty and CHIPS cases in the 10<sup>th</sup> and 8<sup>th</sup> Districts and for CHIPS cases in the 5<sup>th</sup> District.

Figure 5.9: Examples of Filings by Race, By Case Category, By District and County

Figure 5.9 shows examples of the kind of information that can be reported using the race data that is collected. The example to the right shows Major Criminal filings compared to census figures of the adult population and the one below shows filings by race by county.



## QUALITY COURT WORKPLACE ENVIRONMENT

The Minnesota Judicial Branch will ensure that judicial officers, court personnel and jurors are qualified to perform their duties and have the materials, motivation, direction, sense of mission, and commitment to do quality work.

### *What are our turnover rates?*

#### SEPARATION RATES

- ◆ The rate of staff leaving the branch (separation rate) in FY2019, by district/MJC, ranges from a low of 3.3% in the 7<sup>th</sup> District to a high of 17.6% in the 3<sup>rd</sup> District. The statewide separation rate is 10.0%.
- ◆ Retirements and resignations together comprise 91% all separations in FY2019.
- ◆ The total Branch separation rate for FY2019 (10.0%) is higher than the past five fiscal years.

**Figure 6.1: Separation Rates by District and MJC for FY2019**

FY2019 (July 2018-June 2019)										
District/ MJC	Retirement		Resignation*		Dismissal**		Layoff		Total Separations	
	#	%	#	%	#	%	#	%	#	%
1	5.5	2.4%	13.8	6.0%	1.0	.4%	0	0%	20.3	8.8%
2	10.0	4.3%	10.5	4.6%	1.0	0.4%	0	0%	21.5	9.3%
3	11.0	6.7%	13.0	7.9%	5.0	3.0%	0	0%	29.0	17.6%
4	20.7	4.2%	39.9	8.2%	4.0	0.8%	0	0%	64.6	13.2%
5	6.0	4.8%	4.0	3.2%	0	0.0%	0	0%	10.0	8.0%
6	6.0	5.0%	9.4	7.8%	4.0	3.3%	0	0%	19.4	16.2%
7	4.0	2.2%	1.0	0.6%	1.0	0.6%	0	0%	6.0	3.3%
8	4.0	5.9%	2.0	2.9%	0	0.0%	0	0%	6.0	8.8%
9	7.5	4.6%	9.0	5.5%	1.0	0.6%	0	0%	17.5	10.7%
10	7.4	2.4%	16.4	5.3%	4.0	1.3%	0	0%	27.8	9.0%
MJC***	14.6	3.2%	15.0	3.3%	2.0	0.4%	0	0%	31.5	7.0%
<b>Total</b>	<b>96.7</b>	<b>3.8%</b>	<b>133.9</b>	<b>5.3%</b>	<b>23.0</b>	<b>.9%</b>	<b>0</b>	<b>0%</b>	<b>253.6</b>	<b>10.0%</b>

# = number of FTEs; % = percent of avg # of FTEs in a location during the fiscal year who separated from the branch

All figures *exclude* Judges, Law Clerks, Bar Exam Monitors, and Limited/Temporary Appointments

Average FTE calculated by taking avg of beginning and ending fiscal year FTE counts (excluding classifications above)

\*Resignation includes Term Without Rights, Death, End of Disability Leave, Resignations, and Separation - Other

\*\* Dismissal figures include Gross Misconduct and Dismissal

\*\*\* MJC includes SCAO, Court of Appeals, Supreme Court, Lawyers Professional Responsibility Board, Board of Law Examiners, Continuing Legal Ed

The total number of FTEs separated from the branch in FY19 (253.6) is the highest number in the past five fiscal years. The variation by location in FY19 total separation percent ranges from 3.3% in the 7<sup>th</sup> District to 17.6% in the 3<sup>rd</sup> District.

Voluntary separations - retirements and resignations - account for 91% of the FTEs leaving the Branch in FY19, with dismissals accounting for the remaining 9% of separations.

**Figure 6.2: Total Separation Rates by District and MJC, FY2015 to FY2019**

District/ MJC	FY19	FY18	FY17	FY16	FY15
1	8.8%	5.5%	3.6%	5.0%	8.5%
2	9.3%	14.6%	12.6%	15.1%	7.2%
3	17.6%	8.4%	6.6%	10.8%	5.8%
4	13.2%	11.9%	8.2%	10.9%	10.4%
5	8.0%	9.0%	11.8%	5.1%	6.1%
6	16.2%	9.5%	14.4%	13.4%	9.7%
7	3.3%	7.6%	6.7%	9.3%	5.7%
8	8.8%	6.9%	4.6%	5.1%	5.1%
9	10.7%	7.4%	10.5%	11.5%	5.9%
10	9.0%	11.1%	8.9%	7.3%	7.6%
MJC	7.0%	9.2%	7.0%	5.9%	7.7%
<b>Total</b>	<b>10.0%</b>	<b>9.7%</b>	<b>8.4%</b>	<b>9.1%</b>	<b>7.8%</b>
Total # Separations	253.6	231.5	198.3	211.8	178.5

The statewide separation rate in FY19 (10.0%) is higher than the previous five fiscal years. The 3<sup>rd</sup> District, in FY19, has the highest rate among all districts over these five fiscal years (17.6%). The lowest rate over the past five fiscal years is 3.3% in the 7<sup>th</sup> District in FY19.

There are many different ways to calculate turnover rates (or separation rates). So, not all numbers are exactly comparable, especially those that report figures by month instead of annually. The annual separation rate of 10.0% for the Branch is roughly estimated at .8% per month. This compares to U.S. Department of Labor, Bureau of Labor Statistics figures for State and Local government employees (excluding education) of 1.7% separations in

June, 2019<sup>3</sup>.

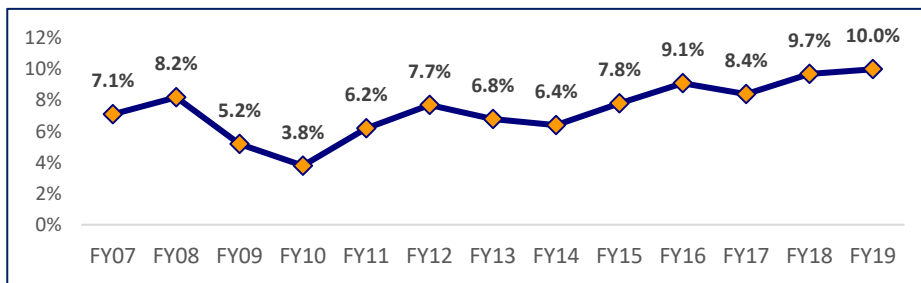
**Figure 6.3: Total Separation Rates Statewide, FY2007 to FY2019**

Figure 6.3 shows the statewide separation rate from FY2007 (when first reported) to FY2019. After a low of 3.8% separation rate in FY10, there have been fairly steady increases in the rate through FY19. (10.0%)

**Figure 6.4: Statewide Separation Rates by Type, FY2015 to FY2019**

Separation rates for Retirement, Resignation, and Dismissal remained fairly consistent in FY19 compared to FY18. The largest percentage increase as shown in Figure 6.3 is in the Resignation category (4.7% in FY18 to 5.3% in FY19).

Separation Type	FY19	FY18	FY17	FY16	FY15
Retirement	3.8%	3.8%	3.4%	3.9%	3.3%
Resignation	5.3%	4.7%	3.9%	3.7%	3.5%
Dismissal	.9%	1.3%	1.1%	1.5%	1.0%
Layoff	0%	0%	0%	0%	0%
<b>Total</b>	<b>10.0%</b>	<b>9.7%</b>	<b>8.4%</b>	<b>9.1%</b>	<b>7.8%</b>

<sup>3</sup> <https://www.bls.gov/news.release/jolts.a.htm>

## QUALITY COURT WORKPLACE ENVIRONMENT, CONTINUED

### *Do employees and judicial officers express satisfaction in their positions?*

## QUALITY COURT WORKPLACE SURVEY RESULTS

- ◆ Over 1,900 employees and 199 judges/justices participated in their respective Quality Court Workplace (QCW) surveys in late 2016. Previous rounds of the survey were completed in 2008 and 2012, and the next QCW Survey will be conducted, tentatively, in Fall 2020.
- ◆ The Judicial Council approved a statewide focus to employee responses in the most recent survey for: 1) Communication that is timely, effective, and provides audience-relevant context, and, 2) Understand and address workload.
- ◆ Judges reviewed results with their bench and solicited feedback focused on: 1) Leadership provided by the Judicial Council meets needs, 2) Being able to keep up with workload, 3) Feel safe at workplace, 4) Working conditions and environment enable judges to do their job well.

### **Employee Survey**

The statements in the 2016 employee survey most directly related to communication are: “Important information is communicated to me in a timely manner” (69% agree/strongly agree) and “I am kept informed about matters that affect me in my workplace” (72% agree/strongly agree). The statement with the highest level of *disagreement* of the survey is: “I am able to keep up with my workload without feeling overwhelmed.” (20% disagree/strongly disagree)



In response to the results of the employee survey, strategies have been developed for improving:

- 1) Techniques for Communicating during Change
- 2) Increasing Knowledge About and Pacing of Major Initiatives

In addition, two objectives were approved: Communication that is timely, effective, and provides audience-relevant context; Understand and address workload.

### **Techniques for Communicating during Change:**

- Branching Out, the Branch newsletter, moved to monthly publication to enable more timely communication
- Communications specialist position created dedicated to managing and improving internal Branch communications
- District level Change Agent Network Teams are created to convey information and feedback about change initiatives in support of OneCourtMN
- Organization Change Management has become a core function and priority of the 2019-created Strategic Planning and Projects Office
- Promote viewing of the video “Judicial Council 101” to increase understanding of the Judicial Council structure, purpose and function
- Hot DISH videos help with change management efforts. This video- and audio-cast series features subject matter experts to provide local courts the opportunity to gain a better understanding of pertinent Branch topics, process changes, and more. Episodes are released the first Friday of the month.





### **Increasing Knowledge About and Pacing of Major Initiatives:**

- The Statewide Reengineering Steering Committee identified priorities for reengineering that were implemented and they recommended creation of statewide customer service standards to support the OneCourtMN vision.
- The newly created Strategic Planning and Projects Office (SPPO) has created a Customer Impact Analysis detailing the dates and impacts of different CAPs, Trainings, and Project Deployments on different customer groups.
- The CAPs (Court Administrative Process) end-to-end process was re-designed to seek more information from court administration, have predictable communication, and set schedules for seeking feedback. Input is sought from each district during the development of CAPs. The feedback is taken into consideration and can lead to changes in processes and deadlines. Based on feedback, the CAPs testing period was extended from one to two weeks.
- Enhancements made to education:
  - New Employee Orientation includes specific components to promote knowledge of the Branch structure and function, and values, culture and strategic priorities
  - Change management education has been developed and integrated into the Management EDGE and Professional Series programs
- The managerial performance competency, “Leading People and Implementing Change” is being reviewed to increase the clarity of performance expectations and is anticipated to be incorporated into the FY20 Performance Review process.

### ***Judge/Justice Survey***

In response to the results of the judge/justice survey, district bench discussions were held to assess their strengths and areas for local follow-up on these issues:

- 1) The leadership provided by the Judicial Council meets the needs of my court
- 2) I am able to keep up with my workload without feeling overwhelmed
- 3) I feel safe at my workplace
- 4) My working conditions and environment enable me to do my job well

Some of the strategies that were developed to address these areas include:

### **Judicial Council Leadership:**

- New Judge Orientation has integrated content to include information about the Judicial Council, including an invitation to observe a Council meeting and integrate knowledge related to the structure and function of the Council.



- District Chief Judges are actively encouraged to bring judges in their districts to observe Judicial Council meetings.
- Judicial Council 101 video has been created describing the function, purpose and operations of the Judicial Council.



**Keep up with Workload:**

- Expand Best Practices for Chief Judges to contact a judge if on the 75-day under advisement report to explore opportunities for assistance.
- A resource list for providing judicial support has been created for Chief Judges to use as a reference.
- Promote judicial comradery through organized events.
- Judicial and Court Administrative leadership teams participated in a two-day workshop to expand mentoring and empathetic listening and communication skills for leadership support, development, and to support effective change management practices.

**Feel Safe at Workplace:**

- Promote participation in “Active Shooter” training.
- Support regular meetings of local security committees through a recommendation to the State Security committee.
- Implement approved security upgrades.

**Working conditions and Environment Enable Doing Job Well**

- Support the Court Record Workgroup recommendations (in progress)

## DATA DETAILS (APPENDIX)

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### DEFINITION OF TERMS

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#### **Dates**

**State Fiscal Year** – All figures that are reported by year are reported using state fiscal year. For example, state fiscal year 2019 includes data from July 1, 2018 to June 30, 2019. This number is also referred to as FY2019, FY19.

#### **Access and Fairness Survey Index Scores**

**Index Scores** – Index scores are an overall score for a grouping of survey statements; also referred to as index categories or sections. Scores can be calculated at the county, division, district or statewide levels. If there are 5 statements in a section with responses on a 1-5 point scale, the index is calculated by summing the means (averages) for each question in the section which brings the total maximum score to 25. (5 questions x 5 points maximum each) This score is then multiplied by 4 to place it on a 100-point scale. For a grouping of 4 statements, the total maximum score is 20, so the multiplier is 5.

#### **Timeliness Measures**

**Clearance Rate** – Number of dispositions for a specified period of time divided by the number of filings (multiplied times 100). A Clearance Rate of 100% indicates a court is 'keeping up' with cases filed. A Clearance Rate under 100% indicates a possible growing backlog.

**Time to Disposition** – Assesses the length of time it takes to process cases compared to the Judicial Council objectives for timely case processing. The measure is reported as a percentage of cases meeting the timing objectives for when 90% of cases should be disposed, at the 97<sup>th</sup> percentile and at the 99<sup>th</sup> percentile. Any more than 1% of cases disposed beyond the 99<sup>th</sup> percentile are considered to have not met timing objectives.

**Age of Pending** – Shows the percent of currently pending cases that are within the timing objectives for timely case processing. Results from the end of each quarter are archived for trend reporting. Cases pending beyond the 99<sup>th</sup> percentile objective can be considered as one measure of court backlog.

**Length of Time to Permanency** – Assesses whether or not timely permanency decisions are being made for children. Reports the number of children for whom permanency was achieved on a CHIPS or Permanency case, and the length of time the child was out of home prior to the permanency order/disposition date for time periods of up to 6 months, up to 12 months, 15 months, 18 months, 24 months and over 24 months. The goal is to achieve permanency by 18 months for 99% of all children.

**Time to Adoption for Children under State Guardianship** – Assesses whether or not adoptions occur within two years (24 months) of entering foster care for 60% of children reaching adoption. Reports the number of children for whom adoption was achieved, the length of time the child was out of home prior to being under state guardianship and the length of time from state guardianship to adoption. The combination of the two time periods equals Time to Adoption.

***Court of Appeals Dispositions within Time Standards*** – Reports the number and percent of cases, by case area, that met the objectives of disposing of 75% of cases within 290 days of filing and disposing of 90% of cases within 365 days of filing.

***Supreme Court Timing Standards*** – Reports identify the court's performance based on three factors: (1) the case type or jurisdiction (original/mandatory; discretionary; expedited); (2) the case-processing event (PFR to disposition; submission to circulation; submission to disposition); and (3) the timing objective to complete the event.

### ***Quality Court Workplace Environment***

***Turnover Rate*** - Also called Separation Rate. Number of Full Time Equivalents (FTEs) who leave the branch during the fiscal year divided by the average number of FTEs employed in a location during that fiscal year (multiplied times 100). Rate excludes Judges, Law Clerks, Bar Exam Monitors and Limited/Temporary Appointments.

## RACE CENSUS FORMS

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Name \_\_\_\_\_

Case/File Number \_\_\_\_\_

### RACE CENSUS FORM-Criminal

The Minnesota Courts are collecting information on all people who appear in criminal, traffic and juvenile cases. Collecting this information will help the Court ensure that everyone is treated fairly and equally, regardless of his/her race or ethnicity.

Please answer **both** questions 1 and 2 below.

#### 1. What is your race?

Mark an **X** by one or more races to indicate what race you consider yourself to be.

\_\_\_\_ (I). American Indian or Alaska Native

\_\_\_\_ (A). Asian

\_\_\_\_ (B). Black or African American

\_\_\_\_ (H). Native Hawaiian or Other Pacific Islander

\_\_\_\_ (W). White

\_\_\_\_ (O). Other: \_\_\_\_\_

#### 2. Are you Hispanic or Latino?

*MARK THE "NO" BOX IF NOT HISPANIC OR LATINO*

\_\_\_\_ (N). **NO**, Not Hispanic or Latino

\_\_\_\_ (Y). **YES**, Hispanic or Latino

Have you answered **both** questions?

For definitions see the back of this form.

The information that you provide here will be compiled in a summarized form that will not identify you by name. Identifying information may, however, be subject to disclosure as required by the rules of public access to records of the judicial branch, or other laws or court rules.

## Definitions:

Race Categories: \*

**American Indian or Alaska Native:** A person having origins in any of the original peoples of North and South America (including Central America), and who maintains tribal affiliation or community attachment.

**Asian:** A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Hmong, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.

**Black or African American:** A person having origins in any of the black racial groups of Africa, for example Somalia. Terms such as “Haitian” can be used in addition to “Black or African American.”

**Native Hawaiian or Other Pacific Islander:** A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

**White:** A person having origins in any of the original peoples of Europe, the Middle East, North Africa, or Mexico.

Ethnicity: \*

**Hispanic or Latino:** A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race. The term, “Spanish origin,” can be used in addition to “Hispanic or Latino.”

\* The United States Census Bureau has established these Race and Ethnicity categories

Name \_\_\_\_\_

Case/File Number \_\_\_\_\_

### RACE CENSUS FORM CHIPS/TPR CASES

The Minnesota Courts are collecting information on all people who appear in criminal, traffic and juvenile cases. Collecting this information will help the Court ensure that everyone is treated fairly, regardless of his/her race or ethnicity.

Please answer **both** questions 1 and 2 below regarding **each** child in this manner.

1. What is the race of the child?	2. Is the child Hispanic or Latino?
Indicate all races you consider your child to be.	Mark the correct response regarding Hispanic or Latino
(I) American Indian or Alaska Native	(N) <b>NO</b> , Not Hispanic or Latino
(A) Asian	
(B) Black or African American	(Y) <b>YES</b> , Hispanic or Latino
(H) Native Hawaiian or Other Pacific Islander	
(W) White	
(O) Other: _____	

Child's Name	Race	Hispanic
List each child.	Circle response(s)	
1.	<i>I A B H W O*</i>	Y / N
2.	<i>I A B H W O*</i>	Y / N
3.	<i>I A B H W O*</i>	Y / N
4.	<i>I A B H W O*</i>	Y / N
5.	<i>I A B H W O*</i>	Y / N
6.	<i>I A B H W O*</i>	Y / N

\*Other: \_\_\_\_\_

Have you answered **both** questions for each child?  
For definitions see the back of this form.

The information that you provide here will be compiled in a summarized form that will not identify you by name. Identifying information may, however, be subject to disclosure as required by the rules of public access to records of the judicial branch, or other laws or court rules.

## Definitions:

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**Black or African American:** A person having origins in any of the black racial groups of Africa, for example Somalia. Terms such as “Haitian” or “Negro” can be used in addition to “Black or African American.”

**Native Hawaiian or Other Pacific Islander:** A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

**White:** A person having origins in any of the original peoples of Europe, the Middle East, North Africa, or Mexico.

Ethnicity: \*

**Hispanic or Latino:** A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race. The term, “Spanish origin,” can be used in addition to “Hispanic or Latino.”

\* The United States Census Bureau has established these Race and Ethnicity categories

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## ANALYSIS NOTES

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The data in this document come from several sources. The results of timing measures for district courts come from MNJAD (Minnesota Judicial Analytical Database, or data warehouse) reports and the data represents both what exists at a point-in-time and trends over the past months and years.

Data changes each week as new and updated information is loaded into the data warehouse from MNCIS (Minnesota Court Information System). All years noted in the timing area represent fiscal years, unless otherwise noted.

Access and Fairness survey results are available to judges and staff on CourtNet. Dashboards are available for the 2019 courthouse survey, public website survey and two Court Payment Center surveys (phone and web). These reports show results that can be customized by the user for location, demographics, and level of detail. Trend data is available for survey results from 2013 and 2008.

The Trial Court Reports (MNJAD reports) for Clearance Rates, Time to Disposition, Age of Pending Cases, Length of Time to Permanency and Time to Adoption for Children under State Guardianship are available to judges and staff on CourtNet (the intranet of the Minnesota Judicial Branch). The Clearance Rates, Time to Disposition and Age of Pending Cases reports are available in the original tabular format as well as in color-coded “stoplight report” format. Readers of this report are encouraged to look at the data in this report as well as seek additional information using MNJAD and stoplight reports.

Court of Appeals and Supreme Court timing information is reported from MACS (Minnesota Appellate Court System case management system) and reflects fiscal year figures.

Separation rates are reported from the Human Resources and Development Division of the State Court Administrator’s Office (SCAO) and reflect FY2019 and include trends back to FY2007. Juror information comes from the jury management system and includes jurors from FY2019 compared to results of the 2010 American Community Survey (replaces the previous long-form census).

Race data collection rates are obtained from on-demand reports on CourtNet, specifically, “Summary of Race Collection for Parties on Closed Cases with Percentages”.

Results of the Quality Court Workplace survey are also available to judges and staff on CourtNet. Several reports are available to see results by county, district or statewide; by employees or judges/justices; comparisons of employees and judges; and comparisons of results for 2016, 2012 and 2008.